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Date: November 14, 2002

Initial: CMHenson

Facility Name: White Consolidated Industries, Inc. (Freezer Division)

Facility Identification Number: MND 092 304 856

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Comments: _____

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April 18, 1989

BY FEDERAL EXPRESS

Mary L. Fulghum, Esq.
Assistant Regional Counsel
U.S. Environmental Protection
Agency - Region V
230 South Dearborn Street
Chicago, Illinois 60604

Re: WCI Freezer Division (St. Cloud, Minnesota)
White Consolidated Industries, Inc.

612-544-5543

Dear Ms. Fulghum:

Following up on our telephone conversations on March 16 and April 13, 1989, I am writing to provide an update on activities being undertaken by White Consolidated Industries, Inc. ("WCI") to develop an agreed voluntary sampling program for WCI's St. Cloud Facility. In addition, some general discussion on the appropriate scope of U.S. EPA's inspection, sampling and corrective action authority under RCRA seems appropriate to respond to the claims made in your February 10, 1989 letter. By the way, I have already discussed the status of this matter with Kevin Veach at the MPCA, and attempted to reach Allen Debus (who has not yet had a chance to return my April 13 telephone call) as you suggested.

While I appreciate your interest in wanting to resolve the details of this matter quickly, WCI considers any situation like this involving drilling of monitoring wells and soil borings to be a matter requiring careful consideration. Thus, when I received your letter three months after my previous November 16, 1988 correspondence to Charles Slaustas, I began working with WCI representatives at the St. Cloud facility and at WCI's headquarters, and with independent environmental consultants, to carefully evaluate the Agency's position and proposal. As I told you in our telephone conversation last Wednesday, I had already arranged to meet with representatives of the company and its

consultant in Minnesota on April 18 to finalize revisions to the Work Plan being prepared for submission to U.S. EPA and the MPCA. After our meetings this week, a final Work Plan for the site investigation will be submitted to Allen Debus and Kevin Veach. Since the Work Plan will include an upgradient monitoring well as requested by the Agency, I do not anticipate that we should encounter any substantive problems in finalizing this matter.

While WCI continues to dispute the regulatory claims asserted by the Agencies, the company is proceeding with development of a voluntary investigation to avoid unnecessary confrontation over these issues. In light of this fact, your statement that the Agency was contemplating referral of this matter to the Department of Justice to obtain a warrant (rather than to continuing to working cooperatively with WCI), is quite disconcerting, particularly given your stated reason that this would be "easier" for your personal schedule since you were "too busy" to continue spending time on this "very small matter." WCI does not consider this to be a small matter, however, and has chosen to carefully consider the issues presented and voluntarily invest its own resources. The suggestion that the Agency would consider referral to the Department of Justice and initiation of unnecessary litigation, for purposes of individual workload convenience, subverts the avowed purpose of being a governmental agency providing good faith interaction with individual and corporate citizens. Since it took the Agency three months to provide a three-page response to my November 16, 1988 letter, it is hardly unreasonable for WCI to carefully consider the Agency's position and develop a final Work Plan with outside consultants over a shorter period of time.

In response to the claims made in your February 10, 1989 letter, I would first like to reiterate that Section 3007(a) of RCRA, 42 U.S.C. § 6927(a), does not apply in broad brush fashion to WCI, since that provision only permits the agency "to enter at reasonable times any establishment or other place where hazardous wastes are or have been generated, stored, treated, disposed of, or transported from; [and] to inspect and obtain samples from any person of any such wastes and samples of any containers or labeling for such wastes." 42 U.S.C. 6927(a) (emphasis supplied). An essential prerequisite to U.S. EPA's authority, therefore, is that the establishment entered is a place where there has been activity with respect to "hazardous wastes." Your claim that "[t]he Agency can not countenance an interpretation that would

emasculate its ability to pursue RCRA's broad remedial goals" is simply irrelevant. The words of the statutes and applicable regulations are controlling, regardless of the Agency's alleged frustration with the plain meaning of those words. Quite simply, U.S. EPA's authority under Section 3007(a) does not apply expansively to, for example, the closed pre-RCRA holding pond area or the RCRA-exempt empty drum storage area.

You have cited two cases in contending that U.S. EPA would have virtually unlimited authority to sample and monitor at WCI's facility under Section 3007(a), namely United States v. Northeastern Pharmaceutical, 810 F.2d 726 (8th Cir. 1986) and United States v. Price, 523 F. Supp. 1055 (D.N.J. 1981). Both of these cases are quite distinguishable and inapplicable to the present situation, because they address the applicability of Section 7003 to inactive waste sites, not Section 3007. Section 7003 of RCRA, 42 U.S.C. Section 6973, which is clearly distinct in scope and purpose from Section 3007, provides U.S. EPA with authority to bring an injunctive action where there is evidence of "an imminent and substantial endangerment to health or the environment" from the handling, storage, treatment, transportation or disposal of any solid waste or hazardous waste.

United States v. Price was a Section 7003 action brought by the United States to enjoin the alleged leaching of hazardous wastes from an inactive landfill into the groundwater. In Price the defendant landfill owner argued that Section 7003 of RCRA was purely prospective, designed to prevent future dumping in some circumstances, but not to remedy the effects of past pre-RCRA waste disposal practices. Significantly, the District Court of New Jersey first concluded that the "imminent hazard" provision under Section 7003 of RCRA does not authorize general cleanup of dormant waste disposal sites. United States v. Price, 523 F. Supp. at 1071. The court agreed that the landfill owner's argument on the prospective nature of RCRA had some merit, but declined to grant summary judgment to the landfill owner on that basis that there might have been "continued leaking" presenting an imminent hazard. Id. at 1070-71. The court never addressed U.S. EPA's sampling, inspection or monitoring authority under Section 3007(a) of RCRA, which is distinct from Section 7003 in defined scope and purpose. Therefore, the only conclusion that can be drawn from United States v. Price is that the District

Court of New Jersey did not conclude as a matter of law on summary judgment that Section 7003 was inapplicable to the leaching of contaminants from an inactive pre-RCRA landfill.

Similarly, in United States v. Northeastern Pharmaceutical & Chemical Co., 810 F.2d 726 (8th Cir. 1986), the court was not construing Section 3007(a) of RCRA, but was focusing on U.S. EPA's authority under Section 7003(a) to seek injunctive relief in an "imminent hazard" situation. Unlike the situation in Northeastern Pharmaceutical or the other cases that you cited, there is no evidence that WCI's St. Cloud facility presents an imminent hazard. Indeed, the Agency has admitted that the purpose of the proposed sampling visit [was] to determine whether releases have ever occurred ...," hardly demonstrating the requisite basis for invoking Section 7003. Neither the statute nor the cases cited in your letter suggest that U.S. EPA's authority to seek injunctive relief to remedy an imminent hazard under Section 7003 extends to entering, sampling or monitoring property where there is no evidence of imminent hazard to human health and environment.

You have also suggested in your letter that U.S. EPA's corrective action authority under Section 3008(h) for facilities authorized to operate under interim status extends to facilities which are not presently authorized to operate a TSD facility. It should first be emphasized that WCI's St. Cloud facility is not required to obtain authorization under interim status, as the Minnesota Pollution Control Agency ("MPCA") has already certified on July 28, 1988. Furthermore, the two cases which you cited addressing Section 3008(h) applicability are simply not applicable or controlling here. The two cases involved facilities that (1) never, but should have, obtained interim status, or (2) lost interim status due to an inability to obtain insurance. United States v. Indiana Wood Treating, 686 F. Supp. 218 (S.D. Ind. 1988) (facility never obtained interim status, but should have); United States v. Clow Water Systems, 1988 U.S. Dist. LEXIS 14666 (facility lost interim status). It is clear that in both situations, and by contrast to WCI, the facilities were required to obtain interim status for treating, storing or disposing hazardous wastes after RCRA's enactment. Since the WCI Freezer

Division in St. Cloud has never operated any RCRA-regulated treatment or disposal facility, and since the MPCA has approved WCI's status as "generator-only," the facility is not and has not been required to seek any RCRA permit.[1]

Finally, it is significant to note that U.S. EPA's authority under Section 3013 of RCRA, 42 U.S.C. § 6934, to issue an order for monitoring, analysis and testing is limited to situations where the presence of any hazardous waste may present a substantial hazard to human health or the environment. First, the Agency does not even purport to be proceeding under this authority at the present time, and no Order has been issued. Second, there is no "hazardous waste" at the facility which may present a "substantial hazard to human health or the environment." Third, as discussed above, the Agency has admitted that it is not aware of any release which would support taking action under Section 3013(d). Further, Section 3013(d) only allows U.S. EPA to conduct such monitoring, testing or analysis if (1) there is no owner or operator able to do the work, (2) the Administrator deems such work to be unsatisfactory, or (3) the Administrator cannot initially determine that there is an owner or operator who is able to do such work. As you are fully aware and have confirmed in your letter to me, WCI has demonstrated its ability and willingness to conduct monitoring, testing and analysis in a satisfactory manner. For all these reasons, Section 3013 is inapplicable to the present situation.

I hope that this letter provides additional insight and resolves our differences as to the scope of U.S. EPA's authority under RCRA so that WCI can proceed with its own sampling and monitoring plan. In any event, WCI reaffirms its continuing policy and practice of working constructively with regulatory agencies whenever possible. Since there does not appear to be a significant substantive dispute on the voluntary investigation to be undertaken by WCI, I anticipate that we should be able to resolve any remaining questions promptly.

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1. Since WCI does not and is not required to operate under interim status, it is not necessary to address your arguments as to whether Section 3008(h) applies to hazardous constituents in addition to hazardous wastes.

If the Agency is still considering referral of this matter to the Department of Justice for unnecessary litigation, however, please advise me immediately and we will make appropriate arrangements. I assume you would, as a matter of professional courtesy, advise us if the Agency decides to seek a warrant so we can concurrently pursue a Motion to Quash or obtain other appropriate relief.

Please do not hesitate to call if you have any questions or if you would like to discuss this matter further.

Sincerely,

Dale E. Stephenson/MK

Dale E. Stephenson

DES/sce
cc: Charles B. Slaustas
Allen A. Debus
Kevin Veach
James L. Calhoun
Raymond G. Dauscher, Esq.

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November 16, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles B. Slaustas
Chief, Minnesota/Wisconsin Section
U.S. EPA - Region V
230 South Dearborn Street
Chicago, Illinois 60604

Re: WCI Freezer Division (St. Cloud, Minnesota)
White Consolidated Industries, Inc.

Dear Mr. Slaustas:

I am writing on behalf of White Consolidated Industries, Inc. ("WCI") in response to requests from U.S. EPA and the Minnesota Pollution Control Agency ("MPCA") to take soil boring samples, and install and sample groundwater monitoring wells, as part of a "RCRA Facility Assessment" at the WCI Freezer Division in St. Cloud, Minnesota. We have discussed this matter with both Allen Debus of your staff and Kevin Veach at the MPCA, and indicated that while WCI questions the regulatory authority asserted by the Agencies, the company would retain an independent consultant to review the proposed Sampling Plan and develop an informed response to the proposed Assessment. Of course, if any investigation is to be conducted on WCI's property regarding non-RCRA units (including both the pre-RCRA holding pond which was properly closed under an MPCA-approved plan and the RCRA-exempt empty drum storage area), WCI fully reserves its rights to do the investigation itself, and objects to any attempt by U.S. EPA, MPCA or their contractors to enter the property and take any unilateral action such as performing soil borings or installing monitoring wells. WCI is willing, however, to undertake some voluntary investigation activities and continue to work cooperatively and in good faith with U.S. EPA and the MPCA.

Initially, WCI does not believe that the statutory and regulatory provisions cited in your August 26, 1988 letter provide a right for the Agencies to unilaterally undertake or require implementation of the proposed Sampling Plan in the specific context of the closed, pre-RCRA holding pond area or the closed, RCRA-exempt empty drum storage area. First, the old wastewater holding pond at WCI's St. Cloud facility was subject to a State-approved closure back in 1979, with 5,200 cubic yards of sediment and associated soils being removed, confirmatory samples of underlying soils taken and analyses provided to the MPCA, and proper backfilling of the area with clean soil. The area is presently covered by a warehouse building which was constructed in 1979. Second, the area previously used for storage of empty product containers prior to returning them to suppliers did not involve any RCRA-regulated activity. See, e.g., 40 C.F.R. §261.7. The WCI Freezer Division has never operated any RCRA-regulated treatment or disposal facility, and has concluded all requirements for maintaining generator-only status, as indicated in the MPCA's formal determination issued on July 28, 1988:

> This is to advise you that your request for a change in status to that of a generator accumulating waste on-site in accordance with applicable Minnesota Hazardous Waste Rules has been approved. This letter constitutes the final administrative action on your hazardous waste facility permit application for the St. Cloud Facility.

[See July 28, 1988 letter from Richard A. Svanda, P.E., which identified you as a co-correspondent.] Thus, the facility is not seeking, and is not required to seek, any RCRA permit under 42 U.S.C. Section 6921 et seq.

The Agencies' request for a detailed "RCRA Facility Assessment" included a proposal to take soil borings and install groundwater monitoring wells around the closed, pre-RCRA holding pond, and take soil borings around the RCRA-exempt empty container storage area. First, RCRA Section 3007(a), 42 U.S.C. § 6927(a), only provides the Agency with inspection and sampling authority regarding RCRA "hazardous wastes." Of course, the area of the holding pond which was closed in 1979 cannot possibly meet that definition. First, accumulated sediments and residual materials were removed under the direction of the MPCA back in 1979. Further, it would be impossible to have generated a RCRA "hazardous waste" before the operative regulations were promulgated or became effective in 1980. Accordingly, U.S. EPA Federal Register statements from 1978 to the present expressly recognize the exclusion of pre-RCRA wastes and sites from general RCRA regulation:

> RCRA is written in the present tense and its regulatory scheme is organized in a way which seems to contemplate coverage only of those facilities which continue to operate after the effective date of the regulations.

[43 Fed. Reg. 58946, 58984 (December 18, 1978); see also 45 Fed. Reg. 12746, 12747 (February 26, 1980), 45 Fed. Reg. 33154, 33170 (May 19, 1980).] Since materials generated before the categories of listed and characteristic "hazardous wastes" were adopted in 1980 are not subject to RCRA, the Agencies' reliance on Section 3007(a) is misplaced. The pre-RCRA exclusion is also confirmed by U.S. EPA in secondary guidance materials. For example, U.S. EPA's publication "Questions and Answers On Hazardous Waste Regulations," Doc. No. SW-853, contains the following dialogue:

> [QUESTION] If a plant ceases on-site disposal prior to November 19, 1980, is it subject to the RCRA regulations?
>
> [ANSWER] No. The regulations apply only to hazardous waste treatment, storage or disposal facilities that either are in operation or begin operation on or after November 19, 1980, the effective date of the regulations. If, however, the on-site facility was handling hazardous waste on the date of promulgation of the regulations (May 19, 1980), the owner or operator must notify under Section 3010 of RCRA, even though the facility closed before the regulations became effective
>
> The on-site facility would be an inactive facility, which is defined as "inactive portion" in Section 260.10 [now 40 C.F.R. § 260.10]. An inactive facility is subject to Section 7003 of RCRA. Under this section of the statute, EPA can seek injunctive action to remedy an imminent hazard's [sic] being caused by the facility.

The first time that RCRA "hazardous wastes" were given an operative definition was on May 19, 1980, and materials generated before that date cannot be RCRA "hazardous wastes."

It is also important to note that, even if WCI's closed, pre-RCRA holding pond was considered to involve RCRA "hazardous wastes" (which WCI disputes), the appropriate authority for detailed monitoring, testing and analysis (as opposed to general inspections and sampling of presently regulated waste materials) would be found under RCRA Section 3013, 42 U.S.C. § 6934. Under that section, however, the regulatory procedure for pursuing such activities would be through (1) a determination that RCRA hazardous wastes "may present a substantial hazard to human health or the environment," and (2) issuance of an administrative order. Even in this context, the Agency does not have unilateral authority to go in and undertake work on its own, but can only direct the owner or operator to submit and implement its own "proposal for carrying out the required monitoring, testing, analysis and reporting." 42 U.S.C. § 6934(c). See, e.g., In re Order Pursuant to Section 3013(a) RCRA, 550 F.Supp. 1361 (W.D. Wash., 1982). Of course, this provision is again premised on the presence of RCRA hazardous wastes (which are not involved in WCI's closed, pre-RCRA holding pond), and U.S. EPA's present request does not claim to be submitted under the authority of Section 3013.

I understand from speaking with Allen Debus and Kevin Veach (and from your August 26, 1988 letter) that the Agencies also consider the requested investigation to be authorized under the "corrective action" provisions of the Hazardous and Solid Waste Amendments of 1984. The statutory authority for corrective action in RCRA Section 3004(u), 42 U.S.C. § 6924(u), only applies to situations "at a treatment, storage, or disposal facility seeking a permit under this subchapter . . . ." [Emphasis supplied.] Since WCI is not "seeking a permit," the Agencies' reliance on this provision is misplaced. Further, the corrective action authority would only apply to circumstances where there are identified "releases of hazardous waste or constituents," and your August 26, 1988 letter acknowledges that the "purpose of the proposed sampling visit [is] to determine whether releases have ever occurred. . . ." Neither Section 3004(u) nor the implementing regulations for RCRA corrective action provide an independent basis for requiring investigation and monitoring relating to non-RCRA units which are not known to involve "releases of hazardous waste or constituents."

The limited scope of the corrective action authority is also reflected in the derivative regulatory enactment. In the final rulemaking published at 50 Fed. Reg. 28746 (July 15, 1985), the regulations requiring corrective action activities were promulgated in 40 C.F.R. Part 264 (at 40 C.F.R. §§ 264.100 and 264.101). Consistent with the express statutory scope, the regulations in Part 264 apply prospectively and only to facilities seeking (or required to seek) a final Part B RCRA permit. As noted in United

Technologies Corp. v. U.S. EPA, 821 F.2d 714, 722 (D.C. Cir. 1987), "Section 3004(u), in essence, creates the broad duty to take corrective action as a *quid pro quo* to obtaining a permit." (Emphasis supplied.) Since WCI is not seeking such a permit, and has been certified by the MPCA as having achieved final closure and exemption from any requirement to pursue a final permit, Part 264 (including §§ 264.100 and 264.101) is inapplicable to WCI's St. Cloud facility. See 40 C.F.R. §§ 264.1 and 264.3. Part 264 applies only to regulated TSD facilities seeking a final permit, and the St. Cloud plant is not such a facility.

The only remaining "corrective action" authority included in the Hazardous and Solid Waste Amendment of 1984 is contained in RCRA Section 3008(h), 42 U.S.C. § 6928(h), which provides for issuance of "an order requiring corrective action or such other response measure" to "a facility authorized to operate under section 6925(e) of this title . . . ." As indicated above, WCI's St. Cloud facility has been certified by the MPCA to not require a RCRA permit (i.e., it does not require authorization "to operate under Section 6925(e)"), and Section 3008(h) of RCRA, 42 U.S.C. § 6928(h), is likewise inapplicable. In any event, the Agencies' request to conduct an investigation relating to the closed, pre-RCRA holding pond and the RCRA-exempt empty container storage area is admittedly not based on any determination (1) "that there is or has been a release of hazardous waste into the environment"; or (2) that any such a release could be "from a facility authorized to operate" under RCRA.

WCI believes that the Agencies' authority is limited to entering the facility at reasonable times to investigate, inspect or obtain samples directly relating to RCRA hazardous wastes. 42 U.S.C. § 6927(a). In addition, RCRA Section 3013 allows the Agencies to issue an order seeking a company's proposal to carry out "monitoring, testing, analysis, and reporting," if a determination has been made that the presence or release of RCRA hazardous wastes "may present a substantial hazard to human health or the environment." 42 U.S.C. § 6934. Neither the closed holding pond from which pre-RCRA materials were removed in 1979, nor the RCRA-exempt empty container storage area which is no longer used, presents a situation where the inspection, monitoring, analysis and testing provisions of RCRA would be applicable.

Despite the apparent lack of statutory authorization for the activities requested by the Agencies, WCI wants to continue its policy and practice of working constructively with regulatory agencies whenever possible. Toward that end, WCI is willing to pursue, at its own cost, a limited investigation of the closed holding pond and empty container storage areas. First, WCI agrees

to voluntarily take the two (2) soil borings, and perform related sampling and analysis, relating to the empty container storage area. With respect to the closed, pre-RCRA holding pond, WCI believes that a more limited initial investigation would be appropriate.

Since the expenses of excessive drilling and laboratory work repidly inflate costs, WCI will limit the investigation relating to the closed, pre-RCRA holding pond to two (2) soil borings and two (2) downgradient monitoring wells. In addition, background soil samples will be collected. I understand that groundwater flow direction is well defined in this area, and two down gradient wells should provide an adequate system to identify any concerns. Similarly, limiting the soil sampling to two (rather than four) borings should avoid unnecessary duplicative work. If this initial assessment indicates substantive reasons to expand the preliminary investigation, WCI will consider the need for additional work. Finally, WCI does not perceive any reason for performing repetitive analyses of soil borings in this situation. WCI will collect split samples at 2 1/2 foot intervals from each of the 4 borings, with one portion to be preserved for laboratory analysis and one portion for head space analysis. The two samples from each boring indicating the highest levels of volatile organics will undergo extraction and laboratory analysis for volatile organic compounds (VOCs) according to EPA SW 846 methods. In addition, both of the soil borings in the area of the closed holding pond (as well as the background boring) will have five samples analyzed for RAS total metals.

I trust that this voluntary effort by WCI will satisfy the Agencies' concerns. Please do not hesitate to call if you have any questions regarding this matter. WCI will work directly with Allen Debus and Kevin Veach to implement the activities agreed to by this letter, which will be overseen by Dan Comeau at Pace Laboratories.

Sincerely yours,

Dale E. Stephenson /kb

Dale E. Stephenson

DES/kb

cc: Kevin Veach
Allen A. Debus
James L. Calhoun
Raymond G. Dauscher, Esq.
Daniel Marques
Daniel Comeau

Paul Little

Minnesota Pollution Control Agency

July 27, 1987

Mr. Richard Clute
WCI Freezer Division - Franklin Manufacturing
701 - 33rd Avenue North
St. Cloud, Minnesota 56301

Dear Mr. Clute:

RE: F001-F005 Land Ban Inspection
WCI Freezer Division - Franklin Manufacturing
St. Cloud, MND092304856, Hazardous Waste Generator

The Minnesota Pollution Control Agency (MPCA) is carrying out the provisions of the Minnesota Hazardous Waste Rules (Chapter 7045) and is cooperating with the U.S. Environmental Protection Agency (EPA) in conducting Land Ban Disposal Inspections (40 CFR Part 268). In this effort, personnel of the MPCA are conducting inspections of companies in Minnesota that are engaged in the generation, transportation, storage, treatment, or disposal of hazardous wastes.

This letter acknowledges that WCI Freezer Division - Franklin Manufacturing was inspected on June 16, 1987 by Mike Tibbetts of the Solid and Hazardous Waste Division of the MPCA. Your company was represented by yourself.

During the course of the land ban inspection, the following EPA requirements were discussed:

1. Written notification to the receiving facility must accompany every shipment of F001-F005 hazardous waste. The notification must include:

   a. EPA Hazardous Waste number;

   b. Applicable treatment standards if the waste is to be land disposed;

   c. The manifest number associated with the shipment of waste; and

   d. Waste analysis, where available.

Phone:_____
520 Lafayette Road, St. Paul, Minnesota 55155
Regional Offices • Duluth/Brainerd/Detroit Lakes/Marshall/Rochester

2. The generator/hazardous waste facility must have current analysis of its "F001-F005" solvent waste streams including mixtures.

3. The generator/hazardous waste facility must have copies of manifests to document the proper disposal of its "F001-F005" sovlent wastes.

4. Hazardous waste facilities only. The owner/operator of the hazardous waste facility must ensure that each container/tank is clearly marked as to the content and date entered into storage for "F001-F005" solvent wastes.

Based on the results of the inspections the company is in violation of item one discussed above. For your information, I have enclosed a copy of the EPA's land disposal requirements. Please submit a written response within 30 days of receipt of this letter describing the steps taken to address the above violation.

If you have any questions please feel free to contact me at 612/297-1783.

Sincerely,

Michael J. Tibbetts
Hazardous Waste Enforcement Unit
Hazardous Waste Section
Solid and Hazardous Waste Division

MJT/jmh

Enclosure

cc: Paul Little, EPA, Region V, Chicago
Larry Shaw, MPCA Regional Director, Brainerd

F001 - F005 SOLVENT WASTE LAND BAN DISPOSAL

INSPECTION

I. PRE-INSPECTION REVIEW:

INSPECTION DATE 10-16-87
INSPECTORS INITIALS MJT

A. SITE IDENTIFICATION

SITE NAME WCI Freezer Div. - Franklin Mfg. EPA ID# MND092304856
ADDRESS 701 33rd Ave No.
CITY St. Cloud COUNTY Stearns

B. FACILITY CONTACT (Name and Phone Number) Richard Cluto (612) 253-1212

C. ACTIVITIES: (Check appropriate boxes)

SQG ☐ 0 - 100 kg/mo. FACILITY: INTERIM STATUS ☐ PERMITTED ☐
☐ 100 - 1000 kg/mo STORAGE ☐
GENERATOR ☒ TREATMENT ☐
HAULER ☐ DISPOSAL ☐ (Specify Type)____

D. Brief Description of Company's Operation:
Manufactures upright and Chest Freezers
Generates Four (4) hazardous waste streams that fall under F-001 - F005 landban restrictions
(Attach a copy of waste stream information to checklist)

II. ON-SITE INSPECTION REVIEW

A. GENERATOR NOTIFICATION:
Has the Generator notified the receiving facility that it generates F001 - F005 solvent wastes?
Yes ____ No X

B. WASTE ANALYSES:
Does the Generator/TSD have current analyses of its F-solvent waste streams including mixtures?
Remarks: Disclosure Info attached

Yes X No____

C. STORAGE:
Does the owner/operator of the TSD have each container clearly marked as to container content and date entered into storage for F-solvent wastes.
Yes_____ No_____ Length of time in storage_____

D. MANIFESTS
1. Does the Generator/TSD have copies of manifests to document the proper disposal of its F-solvent wastes?
Yes_X_ No_____

E. MANAGEMENT METHOD
Confirm that the receiving facility and management method for F-solvent are the same as specified in current annual report.

Additional Comments:_____

WCI FREEZER DIVISION-FRANKLIN MFG. MND092304856 701 - 33RD AVENUE NORTH ST. CLOUD 56301		F002 4290.00 GA FOAM FLUSH SOLVENT HAL METHYLENE CHLORID Recycle/Benefical Use	TRANSPORTER IS WASTE RESEARCH & RECLAMATION CO. FACILITY ISATION CO.
WCI FREEZER DIVISION-FRANKLIN MFG. MND092304856 701 - 33RD AVENUE NORTH ST. CLOUD 56301		F002 55.00 GA MOLD STRIPPER SOLVENT Recycle/Benefical Use	TRANSPORTER IS WASTE RESEARCH & RECLAMATION CO. FACILITY IS WASTE RESEARCH & RECLAMATION CO.
WCI FREEZER DIVISION-FRANKLIN MFG. MND092304856 701 - 33RD AVENUE NORTH ST. CLOUD 56301		F002 1275.00 GA SOLV HAL CHLOROTRIFLUOROMETHANE Incineration/Thermal Treatment	TRANSPORTER IS WASTE RESEARCH & RECLAMATION CO. FACILITY IS ROLLINS ENVIRONMENTAL SERVICES, INC.
WCI FREEZER DIVISION-FRANKLIN MFG. MND092304856 701 - 33RD AVENUE NORTH ST. CLOUD 56301		F003 0.00 GA METHANOL Recycle/Benefical Use	TRANSPORTER IS WASTE RESEARCH & RECLAMATION CO. FACILITY IS WASTE RESEARCH & RECLAMATION CO.

File — Disclosure

Page # 2 Reviewer MHL

DEC 17 1985

Richard Clute
Franklin Mfg. Co.
701 33rd Avenue N.
St. Cloud, Minnesota 56301

Dear Mr. Clute:

RE: Approval of Hazardous Waste Disclosure

The staff of the Minnesota Pollution Control Agency (MPCA) has completed the review of your Hazardous Waste Disclosure dated September 4, 1980 and revised through April 1, 1985. Your management plans for the following wastes are approved.

Waste Inventory Number	Waste Name
H2	Paint Solvent
H5	Blue Surf Ash
H9	Cleaning Solvent, Haloginated
H10	Urethane, Foam Flush
H11	Mold Stripper Solvent
H14	Bonderite Parcolene 60
H15	Waste TDI
H16	Urethane, Waste Resin
H17	Mold Stripper Solids
H19	PCB Transformers
H20	PCB Capacitors
H21	Diphenylmethyl Diisocyanate (MDI)

Martin H. Little was the primary reviewer of your disclosure.

The signature on the disclosure certifies under oath that the information describing hazardous waste composition, quantities, and management practices is accurate. You are obligated to handle your wastes as described in the approved disclosure. The approval is subject to the following conditions:

1. If Franklin Mfg. begins to generate a new hazardous waste, a management plan shall be submitted to the MPCA within 75 days after first producing the waste. The new waste shall not be treated, disposed of, nor change possession until at least 15 days after the new management plan is submitted to the MPCA. (This is required by Minnesota Rules Part 7045.0240, subpart 2.)

2. If the chemical constituents of any of the wastes listed above change, the MPCA must be notified. Call or write the Disclosure Unit.

   Additionally, if volume, registered transporter or facility, or method of disposal change, contact the Disclosure Unit and note the change on your annual report.

3. Annual reports, required by Minnesota Rules Part 7045.0296, are due by March 1 of each year. This report must describe hazardous waste generation, handling, and disposal activity for the preceding year. The next annual report from Franklin Mfg. will be due March 1, 1986. Forms will be supplied by the MPCA after January 1.

4. The Franklin Mfg. EPA identification number, MND092304856, must be used on all hazardous waste labels and on shipping papers when shipment is made to an off-site facility. (Labeling and shipping paper requirements are described in Minnesota Rules Part 7045.070, subpart 5, and Part 7045.0261, subpart 7). As of September 20, 1984 the federal Environmental Protection Agency is requiring the use of a Uniform National Manifest. All manifests should be sent to the MPCA at:

   Minnesota Pollution Control Agency
   Solid and Hazardous Waste Division
   1935 West County Road B2
   Roseville, Minnesota 55113-2785

5. The MPCA reviews and comments upon the hazardous waste disclosure and management plans solely for the purpose of determining whether there is a reasonable assurance that Franklin Mfg. is managing its hazardous wastes in accordance with MPCA rules. In issuing this approval, the State and the MPCA assume no responsibility for any damages to persons, property, or the environment which may be caused by the hazardous waste generated by Franklin Mfg., regardless of whether or not the waste is managed in accordance with the approved management plan.

If you have any questions regarding this approval, need any forms, generate new wastes, change handling practices, or have any other questions or requests regarding hazardous waste generation, please call Martin Little of my staff at 612/296-7170.

Sincerely,

Original Signed By 12/17

Rodney E. Massey, P.E.
Chief, Regulatory Compliance Section
Solid and Hazardous Waste Division
REM/MHL:ls

MHL 11 Dec 85

SS 12-16-85

cc: Larry Shaw

DRAFT
4-2-85

MINNESOTA GENERATOR INSPECTION CHECKLIST

Major G

I. General Inspection Information

Site Name: Franklin Manufacturing, Inc
EPA ID Number: MND-092-304-856
Address: 701 33rd. Ave. No.
City: ST. Cloud
Zip Code: 56301
County: Stearns
Company Status: [✓] SQG [☒] G [ ] H
Current Number of Employees at Site: ≈ 950
Inspection Date: 7/11/85
Time (From): 10:00 (To): 11:30

Inspector(s)	Title	Telephone
Michael J. Tibbetts	P.C.S., Sr	612/297-1783

Person(s) Interviewed	Title	Telephone
Richard Clute	Env. Eng Supv.	612/253-1212

Date of last MPCA Inspection: 7/12/84

II. Disclosure/Licensing/Permits/Identification

1. Identification - Waste Table (Optional)

Waste Name	Quantity Generated	Remarks
F002 (Methylene chloride)	see disclosure	Waste Research; Reclain TSD
F005 (Paint Thinner Xylene Toluene)		

		Y	N	Remarks
2. a.	Outstate - Has G submitted a disclosure to the MPCA? Date _____	✓		
	OR			
b.	Metro - Does G have an approved license? Date of last county inspection? _____			
3.	Does G burn wastes on-site?		✓	
4.	Does G sewer wastes in accordance with MWCC, POTW or septic tank?	✓		City of St Cloud
5.	Are all evaluations needed for HW determinations available?	✓		

III. Manifests (7045.0261, .0265: P. 58 - 60)

		Y	N	Remarks
1.	Are copies of manifests available for review?	✓		
2.	Do manifests contain the following?	✓		
a.	Manifest document number	✓		
b.	Generator data	✓		
c.	Transporter data	✓		
d.	Facility data	✓		
e.	Waste data	✓		
f.	Certification	✓		
3.	Manifest tracking			
a.	Are copies sent to HWIMS in set time frames?	✓		
b.	Were any manifest discrepancies noticed?		✓	

Discrepancies: NA

	Y	N	Remarks
c. Does G retain copies for 3 years?	✓		
4. Does G import or export HWs?		✓	
IV. Small Quantity Generators (7045.0219: P. 53-54)			
1. Are containers marked with the words "Hazardous Waste?"	✓		
2. Outdoor storage requirements:			
a. Protected from unauthorized entry and inadvertent damage?			
b. Are free liquids placed on a curbed impermeable surface?			
c. Are ignitable wastes shaded from direct sunlight?			

3. Remarks

V. Personnel Training/Preparedness and Prevention/Contingency Plan

	Y	N	Remarks
1. Personnel Training (7045.0558: P. 213-214)			
Do personnel training records identify or include:			
a. Program director	✓		Franklin has hired a R.N. as a training Director
b. Job titles	✓		
c. Job descriptions	✓		
d. Documented new employee training	✓		
e. Documented annual training	✓		
f. Training records retained	✓		
2. Preparedness and prevention (7045.0566: P. 216-218)			
a. Is the required emergency equipment available?			
1) Internal communications or alarm system	✓		
2) Emergency telephone or device	✓		
3) Fire control equipment	✓		
4) Spill control equipment	✓		floor dry, recovery drum ect.
b. Does G provide for testing and maintenance of emergency equipment?	✓		
c. Is aisle space adequate?	✓		need to be widened
d. Is water and/or foam available for fire control?	✓		
3. Contingency Plan (7045.0572: P. 218-221)			
a. Is a copy of the contingency plan at the facility?	✓		
b. Does the plan specify emergency response actions?	✓		

		Y	N	Remarks
c.	Has G made and documented arrangements with local authorities?	✓		
d.	Does the plan list emergency coordinator data?	✓		
e.	Do emergency coordinators have the authority to act?	✓		
f.	Does the plan list emergency equipment?	✓		
g.	Is there an evacuation plan?	✓		

VI. Pretransport Requirements (7045.0270: P. 60-61)

Applicable DOT Regulations: CFR Title 49, Parts 172, 173 and 178 (1983)

1. When shipped off-site, are the hazardous wastes:

		Y	N	Remarks
a.	In approved DOT containers?	✓		drummed solids need to be repackaged before shipping off-site
b.	Marked and labeled in accordance with DOT regulations?	✓		
c.	Placarded in accordance with DOT regulations?		✓	

VII. Storage Requirements (7045.0270, .0292 .0626, .0628: P.60-64, 266-269)

1. What storage method is used?

✓ Containers (2)

___ Tanks (3)

		Y	N	Remarks
2.	Are hazardous waste managed to prevent releases? (.0566, P. 217)	✓		
3.	Container Storage			
a.	Are weekly inspections conducted?	✓		
b.	Are accumulation start dates clearly marked?	✓		

		Y	N	Remarks
c.	Have <90 days elapsed since the dates marked?	✓	✓*	9 drums accumulated > 90 days. Franklin is
d.	Are containers marked with the words "Hazardous Waste?"	✓	—	working with H.W. permits in closure (by 8/31/85)
e.	Are containers in good condition?	✓	—	
f.	Are containers compatible with wastes stored?	✓	—	
g.	Are containers stored closed?	✓	—	
h.	If ignitable or reactive wastes are present, are they stored at least 50 feet from property line?	—	NA	NA
i.	Are incompatible wastes separated?	—	—	NA
j.	Outdoor storage requirements:			
	1) Protected from unauthorized entry and inadvertent damage.	—	—	indoor storage only
	2) Are free liquids placed on a curbed impermeable surface?	—	—	
	3) Are ignitable wastes shaded from direct sunlight?	—	—	

4. Tank Storage (7045.0270, .0628: P. 61, 268-269)

Tank Location _____

Total Capacity/Current Volume _____

Diameter _____

Distance from Property Line _____

MPCA liquid storage permit? _____

a. Are daily inspections made? (waste level, control and monitoring equipment) — — _____

		Y	N	Remarks
b.	Are weekly inspections made to detect tank corrosion or leaking?	___	___	_____
c.	Is each tank clearly marked with the words "Hazardous Waste?"	___	___	_____
d.	Is the accumulation start date marked or recorded?	___	___	_____
e.	Have <90 days elapsed since the date marked?	___	___	_____
f.	Are tanks compatible with stored wastes?	___	___	_____
g.	Are incompatible wastes stored in separate tanks?	___	___	_____
h.	If uncovered tanks are used, is 60 cm (2 feet) freeboard present OR a containment, drainage, or diversion structure present?	___	___	_____
i.	Do continuous feed systems have a waste-feed cutoff?	___	___	_____
j.	Are ignitable or reactive wastes stored in tanks?	___	___	_____
k.	Is the tank a pretreatment unit?	___	___	_____
If yes:	(7045.0652: P. 285-286)			
	1) Does operator have inspection schedule?	___	___	_____
	2) Does operator have inspection log?	___	___	_____

VIII. Miscellaneous

1. Company Products Home Freezers

2. Can the generator describe past hazardous waste management? Explain below:

Some wastes were burned at Midway Iron and disposed of at St. Augusta SLF (see disclosure)

Remarks:

Overall, Franklin appears to be in compliance with Chapter 7045. requirements. The Company is currently working with the h.w. permits unit to resolve the closure of their interim storage facility by August 31, 1985.

MINNESOTA POLLUTION CONTROL AGENCY
COMPLAINT REPORT

956 H

County: Stearns Date Received: 1/29/85

City : St. Cloud Time Received: ~10:30 a.m.

Region: Brainerd Received By : Michael P. Convery

Source of Alleged Pollutant:

N

Name: former Franklin Manufacturing Facility

Address: ~ North 8th Street N. - west of 33rd Ave No.

City: St. Cloud

Phone:

Sec. _____ Twp. _____ Range _____ W E

Location:

S

Problem/Situation Description:

On the west end of the Franklin facility property lies a 20' deep pit used for waste disposal. The bottom of the pit was gravel. Wastes, including methyisocyanate, methylene chloride, caustic soda, and chromium, were discharged to the pit at 60 gpm. Franklin manufactured freezers and had be a facility at location since the 1940's. The pit was used for at least 15 years during the 1960's through early 1970's. It claimed MPCA supervised some cleanup during some work on TH 15 right-of-way.

Inspection Findings:

Action Taken/Comments:

Complaint forwarded to David Richfield / Robert Kaeb as part of overall Waite Park investigation

MAC

File Disclosure
MND 006 452 114
Page # 2 Reviewer

DEC 7 1984

Mr. Richard Clute
Franklin Manufacturing Company
701 North 33rd Avenue
St. Cloud, Minnesota 56301

Dear Mr. Clute:

Thank you for the material recently submitted to update your hazardous waste disclosure. I have reviewed your file and one management plan is still missing. On your inventory, you list waste number 18 (Mesamoll) as hazardous. We now have new disclosure forms (because of the revised rules that went into effect July, 1984) and I am sending one of these new management plan forms. Also, the new instructions.

You need not submit a new inventory form (Form-1) but I have enclosed a copy for your information. Please note that we now use a letter prefix to the inventory number: H, O and N for hazardous, oil and nonhazardous, respectively. To preserve the numerical identity of a given waste, we are just putting the appropriate letter in front of the original number for wastes already disclosed. Thus, in your case, waste 2 is now H2 and waste 7 is now O7; similarly, N1, N3, N4, etc. Thus, if you have a new hazardous waste at a future date, you can assign it the number H1.

I have also received some of the manifests for your hazardous waste shipments and cannot identify the waste "Corrosive Liquid N.O.S." Perhaps it is waste H18, Mesamoll. Please clarify.

Is waste H2, paint solvent, shipped as "Flammable Liquid" and H11, mold stripper solvent as "Combustible Liquid?"

Is waste H17, polyurethane mold stripper solids, listed as hazardous because of ignitability? You stated during a phone call that you had no urethane monomer waste.

If you can supply the needed information within the next two weeks, I should be able to recommend approval of your management plans by the end of the month.

Thank you for your cooperation. Call if you have any questions.

Sincerely,

Original Signed By: Martin H. Little

Martin H. Little
Hazardous Waste Disclosure Unit
Regulatory Compliance Section
Solid and Hazardous Waste Division

MHL/ch

Enclosure

MJT

File H.W. ENF
Franklin MFG, Co
MND-092-304-856
Page # 2 Reviewer MJT

AUG 2 2 1984

Mr. Richard Clute
Franklin Manufacturing Company
701 33rd Avenue North
St. Cloud, Minnesota 56301

Dear Mr. Clute:

RE: RCRA Hazardous Waste Inspection
Franklin Manufacturing Company
St. Cloud, MND092304856, Hazardous Waste Generator and Storage Facility

The Minnesota Pollution Control Agency (MPCA) is cooperating with the U.S. Environmental Protection Agency (EPA), Region V, in carrying out the provisions of the Resource Conservation and Recovery Act (RCRA) of 1976, Public Law 94-580. In this effort, personnel of the MPCA are conducting inspections of companies in Minnesota that are engaged in the generation, transportation, storage, treatment, or disposal of hazardous wastes.

This letter acknowledges that Franklin Manufacturing Company (company) was inspected on July 17, 1984 by Mike Tibbetts of the Solid and Hazardous Waste Division of the MPCA. Your company was represented by Mr. Steve Dorse and yourself. As a result of this inspection, the MPCA staff has determined that the company shall be considered a federal hazardous waste generator and a storage facility. I am pleased to inform you that no violations of 40 CFR Part 262 or 265 were observed during the inspection.

It is the understanding of the MPCA staff that the company has requested the EPA to withdraw their Part A Hazardous Waste Facility Permit application from further consideration. The company contends that it can maintain a routine shipping schedule and comply with the accumulation time requirements specified in 40 CFR Part 262.34. While inspecting the company's nonflammable hazardous waste storage area, the MPCA staff observed approximately 20, 55-gallon containers that had been stored for more than 90 days. Since the company is currently considered a storage facility, the MPCA staff cannot act on the company's request to withdraw their permit application. However, once the company disposes of all accumulated hazardous wastes and submits copies of manifests signed by the hazardous waste disposal facility to this office, the MPCA staff may reconsider the company's request.

Prior to concluding the inspection, you provided the MPCA staff with Material Safety Data Sheets for polymeric diphenylmethane diisocyanate (PDD), NB#350648-A-2. You wanted to know if this material would be hazardous if discarded. If the PDD was not properly reacted, it would be considered hazardous due to the characteristics of reactivity (D003).

A copy of this letter and the inspection report will be sent to the EPA, Region V office in Chicago, Illinois. This letter does not preclude the MPCA from taking enforcement action as warranted pursuant to any violations of current Minnesota regulations and statutes.

If you have any questions, please contact me at 612/296-7394 or Mr. Kenneth Skahn of the EPA, Region V at 312/886-6198.

Sincerely,

Original Signed By: MJT

MJT 8/14/84
LZE 8/21/84

Michael J. Tibbetts
Hazardous Waste Enforcement Unit
Regulatory Compliance Section
Solid and Hazardous Waste Division

MJT/ch

cc: Mr. Richard Dell, EPA, Chicago
Mr. Larry Shaw, MPCA, Brainerd

RCRA INSPECTION REPORT

EPA Identification Number: MND-092-304-856

Installation Name: Franklin Manufacturing Co.

Location Address: 701 33rd Avenue No.

City: St. Cloud State: MN. 56301

Date of Inspection: 7-17-84 Time of Inspection (from) 10:30 (to) 12:00

*Person(s) Interviewed	Title	Telephone
Mr. Richard Clute	Plant Engineer	(612) 253-1212
Mr. Steve Dorse	Safety Officer	(612) 253-1212

Inspector(s)	Agency/Title	Telephone
Mr. Mike Tibbetts	MPCA/PCS, Int.	(612) 296-7394

*Installation Activity (mark only one box)		Inspection Form(s)
✓	Treatment/Storage/Disposal per 40 CFR 265.1 and Generation and/or Transportation	A
___	Treatment/Storage/Disposal (no generation or Transportation)	A
___	Generation and Transportation	B, C
___	Generation Only	B
___	Transportation Only	C

Section A: SCOPE OF INSPECTION

1. Interim status standards for treatment, storage or disposal of HAZARDOUS WASTES SUBJECT TO 40 CFR 265.1. Complete Inspection Form A sections B, C, D, E, and G.

2. Place an "X" in the box(es) corresponding to the facility's treatment, storage and disposal processes, and generation and/or transportation activity (if any). Complete only the applicable sections and appendices.

Permit application process(es) (EPA Form 3510-3)			Inspection Form A section(s)
S01	✓	storage in containers	I
S02	___	storage in tanks	J
T01	___	treatment in tanks	J
S04	___	storage in surface impoundment	K, F
T02	___	treatment in surface impoundment	K, F
D83	___	disposal in surface impoundment	K, F
S03	___	storage in waste pile	L
D81	___	disposal by land application	M, F
D80	___	disposal in landfill	N, F
T03	___	treatment by incineration	O/P
T04	___	treatment in devices other than tanks, impoundments, or incinerators	Q

Other activities

GENERATOR	✓	APPENDIX GN
TRANSPORTER	___	APPENDIX TR

3. Indicate any hazardous waste processes, by process code, which have been omitted from Part A of the facility's permit application.

4. Indicate any hazardous waste processes (by process code and line number on EPA Form 3510-3 page 1 of 5) which appear to be eligible for exclusion per 40 CFR 265.1(c). Provide a brief rationale for the possible exclusion.

___ *ocean disposal*

___ *underground injection*

___ *POTW*

___ *permitted by authorized state*

___ *handling only small quantity generator waste*

___ *treatment/storage for recycle (see 261.6(b))*

___ *onsite accumulation <90 days*

___ *farmer*

___ *"totally enclosed" treatment facil.*

___ *WWTP*

___ *transporter storing manifested waste <10 days*

Section B: GENERAL FACILITY STANDARDS (Part 265, Subpart B)

	YES	NO	NI*	REMARKS
1. Has the Regional Administrator been notified regarding:				
a. Receipt of hazardous waste from a foreign source?		X		NA
b. Facility expansion? (§270.72)		X		
c. Change of owner or operator?		X		
2. General Waste Analysis:				
a. Has the owner or operator obtained a detailed chemical and physical analysis of the waste?	X			
b. Does the owner or operator have a detailed waste analysis plan on file at the facility? *See 265.13 for requirements*	X			
c. Does the waste analysis plan specify procedures for inspection and analysis of each movement of hazardous waste from off-site?			X	NA
3. Security - Do security measures include: (if applicable)				
a. 24-hour surveillance?	X			
or				
b. i. Artificial or natural barrier around facility?		X		
and				
ii. Controlled entry?	X			
c. Danger sign(s) at entrance?	X			
4. Owner or operator inspections:				
a. Does the owner or operator inspect the facility for malfunctions, deterioration, operator errors, and discharges of hazardous waste that may affect human health or the environment:	X			

*Not Inspected

	YES	NO	NI	REMARKS
b. Does the owner or operator have an inspection schedule at the facility?	X			
c. If so, does the schedule address the inspection of the following items:				
i. Monitoring equipment?			X	NA
ii. Safety and emergency equipment?	X			
iii. Security devices?	X			
iv. Operating and structural equipment (i.e., dikes, pumps, etc.)?			X	NA
v. Type of problems to be looked for during the inspection (e.g., leaky fitting, defective pump, etc.)?			X	NA
vi. Inspection frequency based upon the possible deterioration rate of the equipment)?			X	NA
d. Are areas subject to spills inspected daily when in use?	X			
e. Does the owner or operator maintain an inspection log or summary of owner or operator inspections?	Y			
f. Does the inspection log contain the following information:				
i. The date and time of the inspection?	X			
ii. The name of the inspector?	X			
iii. A notation of the observations made?	X			
iv. The date and nature of any repairs or remedial actions?	X			

	YES	NO	NI	REMARKS
5. Do personnel training records include:				
a. Job titles?	X			
b. Job descriptions?	X			
c. Description of training? *Who did it/were they trained?*	X			
d. Records of training?	X			
e. Did facility personnel receive the required training by 5/19/81?	X			
f. Do new personnel receive required training within six months?	X			
g. Do personnel training records indicate that personnel have taken part in an annual review of initial training?	X			
6. If required, are the following special requirements for ignitable, reactive, or incompatible wastes addressed?				
a. Special handling?	X			
b. No smoking signs?	X			
c. Separation and protection from ignition sources?	X			

Section C: PREPAREDNESS AND PREVENTION (Part 265, Subpart C)

	YES	NO	NI	REMARKS
1. Maintenance and Operation of Facility:				
Is there any evidence of fire, explosion, or release of hazardous waste or hazardous waste constituent?	X			
2. If required,* does the facility have the following equipment:				
a. Internal communications or alarm systems?	X			
b. Telephone or 2-way radios at the scene of operations?	X			
c. Portable fire extinguishers, fire control, spill control equipment, and decontamination equipment?	X			

Indicate the volume of water and/or foam available for fire control?

city water

3. Testing and Maintenance of Emergency Equipment:				
a. Has the owner or operator established testing and maintenance procedures for emergency equipment?	X			
b. Is emergency equipment maintained in operable condition?	X			
4. Has owner or operator provided immediate access to internal alarms? (if needed*) *Is there ever just one person onsite?*	X			
5. Is there adequate aisle space for unobstructed movement *of protection/ fire/decontamination equipment*?	X			

**Unless not required by particular waste characteristics*

	YES	NO	NI	REMARKS
6. Has the owner or operator attempted to make arrangements with local authorities in case of an emergency at the facility?	X			

✓ *local PD/FD*
__ *state emergency response teams/ contractors*
✓ *hospitals*

Section D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES (Part 265, Subpart D)

	YES	NO	NI	REMARKS
1. Does the Contingency Plan contain the following information:				
a. The actions facility personnel must take to comply with §265.51 and 265.56 in response to fires, explosions, or any unplanned release of hazardous waste? (If the owner has a Spill Prevention, Control, and Countermeasures (SPCC) Plan, he needs only to amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of this Part (as applicable).)	X			
b. Arrangements agreed by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services pursuant to §265.37? (*See Section C, No. 6*)	X			
c. Names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinators?	X			
d. A list of all emergency equipment at the facility which includes the location and physical description of each item on the list and a brief outline of its capabilities?	X			
e. An evacuation plan for facility personnel where there is a possibility that evacuation could be necessary? (This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes.)	X			

	YES	NO	NI	REMARKS
3. Emergency Coordinator:				
a. Is the facility Emergency Coordinator identified? *(or a designee?)*	X			
b. Is coordinator familiar with all aspects of site operation and emergency procedures?	X			
c. Does the Emergency Coordinator have the authority to carry out the Contingency Plan?	X			
4. Emergency Procedures:				
If an emergency situation has occurred at this facility, has the Emergency Coordinator followed the emergency procedures listed in 265.56?			X	No emergency situation thus Far

DATE: August 21, 1984

TO: Richard Dell
U.S. Environmental Protection Agency
Region V
230 South Dearborn
Chicago, Illinois 60604

FROM: Michael J. Tibbetts
612-296-7394

ITEM(S):
- [X] Inspection Report
- [X] Acknowledgement/Warning Letter
- [ ] Technical Evaluation
- [ ] Notice of Violation

COMPANY: Franklin MFG., Co.
MND-092-304-856

TASK: 3 OUTPUT: 1

4/82-A

Section E: MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING (Part 265, Subpart E)

	YES	NO	NI	REMARKS
1. Use of Manifest System				
a. Does the facility follow the procedures listed in §265.71 for processing each manifest? (Particularly sending a copy of the signed manifest back to the generator within 30 days after delivery.)			X	on-site facility
___ *sign and date each copy?*				
___ *note discrepancies?*				
___ *copy to transporter?*				
___ *copy to generator in 30 days?*				
___ *copy onsite for 3 years?*				
___ *appropriate marking if storage onsite (<90 days)?*				
b. Are records of past shipments retained for 3 years?			X	
2. Does the owner or operator meet requirements regarding manifest discrepancies?			X	
___ *attempts to reconcile?*				
___ *if not, notify Regional Admin. within 15 days?*				
Not applicable to owners or operators of on-site facilities that do not receive any wastes from off-site sources.				
3. Operating Record:				
a. Does the owner or operator maintain an operating record as required in 265.73?	X			
b. Does the operating record contain following information:				
1. The method(s) and date(s) of each waste's treatment, storage, or disposal as required in 40 CFR Part 265 Appendix I? (*process codes*)	X			

	YES	NO	NI	REMARKS
ii. The location and quantity of each hazardous waste within the facility? (This information should be cross-referenced to specific manifest number, if waste was accompanied by a manifest.)	X			
**iii. A map or diagram of each cell or disposal area showing the location and quantity of each hazardous waste? (This information should be cross-referenced to specific manifest number, if waste was accompanied by a manifest.)?			Y	NA
iv. Records and results of all waste analyses, trial tests, monitoring data, and operator inspections?	Y			
v. Reports detailing all incidents that required implementation of the Contingency Plan?			X	
vi. All closure and post closure costs as applicable? *(Sec §265.142/144)*	Y			
4. Availability of Records: Are all facility records required under 40 CFR Part 265 available for inspection?	Y			
✓ *biennal report by Mar. 1 of even-numbered years? (not for 1980) - Form 8700-13B - see §265.75*				

**Only applies to disposal facilities

	YES	NO	NI	REMARKS
5. Unmanifested Waste Reports:***				
a. Has the facility accepted any hazardous waste from an off-site generator subject to 40 CFR 262.20 without a manifest or shipping paper?	___	___	X	N/A
b. If "a" is yes, provide the identity of the source of the waste and a description of the quantity, type, and date received for each unmanifested hazardous waste shipment.				
___ *small quantities are excluded - no manifest*	___	___	___	___

***Not applicable to owners or operators of on-site facilities that do not receive any hazardous wastes from off-site sources.

Section F: GROUNDWATER MONITORING (Part 265, Subpart F)

Complete this section for facilities that treat, store, or dispose of hazardous wastes in *landfills, surface impoundments and/or by land treatment only.*

	YES	NO	NI	REMARKS
1. Has the owner or operator of the facility implemented a groundwater monitoring system? If "no", skip to number 11.	—	X	—	NA · onsite storage in containers
2. Has the owner or operator of the facility implemented an alternate groundwater monitoring system as described in 265.90(d)?	—	—	—	_____
3. Does the groundwater monitoring system meet the following requirements of 265.91:				
a. At least one well installed hydraulically up-gradient from the limit of the waste management area?	—	—	—	_____
Indicate the total number of up-gradient wells.	_____			
b. At least three wells installed hydraulically down-gradient at the limit of the waste management area?	—	—	—	_____
Indicate the total number of downgradient wells.	_____			
c. Are the number, locations, and depths of all wells sufficient to yield groundwater samples that are representative of groundwater under the facility?	—	—	—	_____
Sketch the locations of the wells relative to the waste management area.				
d. Are the monitoring wells constructed in accordance with 265.91(c) (e.g., properly cased, screened, etc.)?	—	—	—	_____

	YES	NO	NI	REMARKS
4. Has the owner or operator developed a written groundwater sampling and analysis plan that includes procedures and techniques for:				
a. Sample collection?				
b. Sample preservation and shipment?				
c. Analytical procedures?				
d. Chain of custody control?				
5. Does owner or operator follow groundwater sampling and analysis plan?				
6. Is the groundwater sampling and analysis plan maintained at the facility?				
7. Has the owner or operator determined the concentration or value of all the groundwater monitoring parameters of 265.92(b) in accordance with paragraphs c and d of 265.92?				

Parameters		*Year 1*	*Year 2*
A. chloride	*B. pH*	*A + B - Quarterly*	*A - Annually*
Fe	*SC*		*B - Semi-annually*
Mn	*TOC*		
phenol	*TOX*		
Na			
SO^4			

	YES	NO	NI	REMARKS
8. Has the owner or operator developed an outline of a comprehensive groundwater quality assessment program that is capable of determining:				
a. Whether hazardous waste or hazardous waste constituents have entered the groundwater?				
b. The rate and extent of migration of hazardous waste or hazardous waste constituents in the groundwater?				

	YES	NO	NI	REMARKS
c. The concentration of hazardous waste or hazardous waste constituents in the groundwater?	___	___	___	_____
*9. Has the owner or operator performed statistical analysis of his groundwater monitoring data as required in 265.93(b)?	___	___	___	_____
___ *calculate $\bar{x}$ (mean) and S^2 (variance)* ___ *apply t-test*				
*10. Was there a statistically significant increase (of pH decrease) detected in any well?	___	___	___	_____
a. If "yes," has the owner or operator responded in accordance with the procedures prescribed in 265.93 paragraphs c through f?	___	___	___	_____
___ *obtain additional down-gradient samples and analyze for significant change* ___ *notify Regional Admin. within 7 days* ___ *plan within 1f*				
11. Has the owner or operator prepared a written groundwater monitoring waiver demonstration for the facility?	___	___	___	_____
a. Is the waiver demonstration maintained at the facility?	___	___	___	_____
b. Has the waiver demonstration been certified by a qualified geologist or geotechnical engineer?	___	___	___	_____

Note: Inspectors should request a copy of the waiver document.

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*These requirements do not take effect until the first 6 months after November 19, 1982. The latest date for compliance with these requirements is May 19, 1983.

	YES	NO	NI	REMARKS
c. Skip questions 12, 13, and 14.				
12. Has the owner or operator submitted an alternate groundwater monitoring system to the Regional Administrator?	___	___	___	_____
a. Has the plan been certified by a qualified geologist or geotechnical engineer?	___	___	___	_____

Note: If the plan for an alternate groundwater monitoring system was not submitted to the Regional Administrator, the inspector should request a copy for review.

13. Does the alternate groundwater monitoring plan address the requirements of 265.90(d)?	___	___	___	_____
14. Does the owner or operator submit reports and maintain records as required in 265.94?	___	___	___	_____

___ *quarterly for first year.*
___ *annually/semiannually for 2nd year - submit by March 1*
___ *elevations annually*

Section G: CLOSURE AND POST CLOSURE (Part 265, Subpart G)

	YES	NO	NI	REMARKS
1. Closure				
a. Does the plan identify:				
i. Maximum extent unclosed during facility life?	X			
ii. Maximum hazardous waste inventory?	X			
iv. Estimated year of closure?	X			
v. Schedule of closure activities?	X			
*2. Post-Closure				
a. Is the post-closure plan available for inspection?			X	NA
b. Does this plan contain:				
i. Description of groundwater monitoring activities and frequencies?				
ii. Description of maintenance activities and frequencies for:				
AA. integrity of cap, final cover, or containment structures, where applicable?				
BB. facility monitoring equipment?				
iii. Name, address, and phone number of person or office to contact during post-closure care period?				
c. Has the post-closure period begun?				
d. Is the written post-closure cost estimate available?				

*Applies only to disposal facilities.

Section I: USE AND MANAGEMENT OF CONTAINERS (Part 265, Subpart I)

		YES	NO	NI	REMARKS
1.	Are containers in good condition?	X			
2.	Are containers compatible with waste in them?	X			
3.	Are containers managed to prevent leaks?	X			
4.	Are containers stored closed?	X			
5.	Are containers inspected weekly for leaks and defects?	X			
6.	Are ignitable and reactive wastes stored at least 15 meters (50 feet) from the facility property line? (Indicate if waste is ignitable or reactive).	X			ignitable & possibly reactive waste
7.	Are incompatible wastes stored in separate containers? (If not, the provisions of 40 CFR 265.17(b) apply.)	X			
8.	Are containers of incompatible waste separated or protected from each other by physical barriers or sufficient distance? *[§265.177(c)]*	X			

Section J: TANKS (Part 265, Subpart J)

	YES	NO	NI	REMARKS
1. Are tanks used to store only those wastes which will not cause corrosion, leakage or premature failure of the tank?	___	___	___	_____
2. Do uncovered tanks have at least 60 cm (2 feet) of freeboard, or dikes or other containment structures?	___	___	___	_____
3. Do continuous feed systems have a waste-feed cutoff?	___	___	___	_____
4. Are waste analyses done before the tanks are used to store a substantially different waste than before?	___	___	___	_____
5. Are required daily and weekly inspections done?	___	___	___	_____
6. Are reactive and ignitable wastes in tanks protected or rendered non-reactive or non-ignitable? Indicate if waste is ignitable or reactive. (If waste is rendered non-reactive or non-ignitable, see treatment requirements.)	___	___	___	_____
7. Are incompatible wastes stored in separate tanks? (f not, the provisions of 40 CFR 265.17(b) apply.)	___	___	___	_____
8. Has the owner or operator observed the National Fire Protection Association's buffer zone requirements for tanks containing ignitable or reactive wastes?				

Tank capacity: _____gallons

Tank diameter: _____feet

Distance of tank from property line _____feet

(See Tables 2-1 through 2-6 of NFPA's "Flammable and Combustible Liquids Code - 1977" to determine compliance.)

Section K: SURFACE IMPOUNDMENTS (Part 265, Subpart K)

	YES	NO	NI	REMARKS
1. Do surface impoundments have at least 60 cm (2 feet) of freeboard?	___	___	___	_____
2. Do earthen dikes have protective covers?	___	___	___	_____
3. Are waste analyses done when the impoundment is used to store a substantially different waste than before?	___	___	___	_____
4. Is the freeboard level inspected at least daily?	___	___	___	_____
5. Are the dikes inspected weekly for evidence of leaks or deterioration?	___	___	___	_____
6. Are reactive and ignitable wastes rendered non-reactive or non-ignitable before storage in a surface impoundment? (If waste is rendered non-reactive or non-ignitable, see treatment requirements.)	___	___	___	_____
7. Are incompatible wastes stored in different impoundments? (If not, the provisions of 40 CFR 265.17(b) apply.)	___	___	___	_____

Section L: WASTE PILES (Part 265, Subpart L)

	YES	NO	NI	REMARKS
1. Are waste piles covered or protected from dispersal by wind?	___	___	___	_____
2. Is each in-coming movement of waste analyzed before being added to the waste pile?	___	___	___	_____
3. Are leachate, run-off, and run-on controlled as per the requirements of 265.753?	___	___	___	_____
___ *impermeable base* ___ *run-on or run-off control containment and treatment*				
4. Are reactive and ignitable wastes rendered non-reactive or non-ignitable before storage in a pile? Indicate if waste is ignitable or reactive. (If waste is rendered non-reactive or non-ignitable, see treatment requirements.)	___	___	___	_____
5. Are piles of reactive or ignitable waste protected from materials or conditions that might cause them to ignite or react?	___	___	___	_____
6. Are incompatible wastes stored in different piles? (If not, the provisions of 40 CFR 265.17(b) apply.)	___	___	___	_____
7. Are piles of incompatible waste protected by barriers or distance from other waste?	___	___	___	_____

Section M: LAND TREATMENT (Part 265, Subpart M)

	YES	NO	NI	REMARKS
1. Is treated hazardous waste capable of biological or chemical degradation?	___	___	___	_____
2. Are run-off and run-on diverted from the facility or collected?	_____			
3. Is waste analyzed according to 265.273?	___	___	___	_____
___ *is it EP toxic?*				
___ *food chain crops - analysis for As, Cd, Pb, Hg*				
4. If food chain crops are grown at the facility, has the owner or operator addressed the requirements of 265.276?	___	___	___	_____
___ *notify Regional Admin.*				
___ *show no metals uptake*				
5. Is an unsaturated zone monitoring plan designed and implemented to detect the vertical migration of hazardous waste and provide information on the background concentrations of the hazardous waste available?	___	___	___	_____
6. Does the unsaturated zone monitoring plan address the minimum information specified in 265.278?	___	___	___	_____
___ *show difference between background and waste treatment area (capability to detect)*				
7. Are records kept regarding application dates and rates, and quantities, and locations, of all hazardous waste placed in the facility?	___	___	___	_____
8. Are the special requirements fulfilled regarding land treatment of ignitable or reactive wastes? (Indicate if waste is ignitable or reactive.)	___	___	___	_____
9. Are incompatible wastes land treated? (If yes, 265.17(b) applies.)	___	___	___	_____

Section N: LANDFILLS (Part 265, Subpart N)

	YES	NO	NI	REMARKS
1. General Operating Requirements:				
Does the facility provide the following:				
a. Diversion of run-on away from from active portions of the fill?	___	___	___	_____
b. Collection of run-off from active portions of the fill?	___	___	___	_____
c. Is collected run-off treated?	___	___	___	_____
d. Control of wind dispersal of hazardous waste?	___	___	___	_____
2. Surveying and Recordkeeping:				
Does the Operating Record include:				
a. A map showing the exact location and dimensions of each cell?	___	___	___	_____
b. The contents of each cell and the location of each hazardous wastetype within each cell?	___	___	___	_____
3. Special requirements for ignitable or reactive waste. Are ignitable or reactive wastes treated so the resulting mixture is no longer ignitable or reactive? (Indicate if waste is ignitable or reactive.)	___	___	___	_____
4. Special Requirements for Incompatible Wastes:				
Does the owner or operator dispose of incompatible waste in separate cells? (If not, the provisions of 40 CFR 263.17(b) apply.)	___	___	.	_____

Note: If waste is rendered non-reactive or non-ignitable see treatment requirements. If not, the provisions of 40 CFR 265.17(b) apply.

	YES	NO	NI	REMARKS
5. Special requirements for liquid waste:				
a. Are bulk or non-containerized liquids placed in the landfill? If "yes," complete items i, ii, and iii.	___	___	-	_____
i. Does the landfill have a chemically and physically resistent liner system?	___	- -	___	_____
ii. Does the landfill have a functional leachate collection system?	___	___	___	_____
iii. Are free liquids stabilized prior to or immediately after placement in the landfill?	___	___	___	_____
b. Have containers holding free liquids been placed in landfill since March 22, 1982?	___	- .	___	_____
6. Special requirements for containers:				
Are empty containers crushed flat, shredded, or similarly reduced in volume before being buried beneath the surface of the landfill?	___	- .	___	_____

Section O/P: INCINERATION AND THERMAL TREATMENT (Part 265, Subparts O and P)

1. Determination of Steady State:

   a. Type of unit (i.e., type of incinerator or thermal treatment): _____

   _____

   b. Components and steady state condition:

   Was each component at steady state prior to adding waste?

COMPONENT	YES	NO	NI	REMARKS
_____	___	___	___	_____
_____	___	___	___	_____
_____	___	___	___	_____
_____	___	___	___	_____
_____	___	___	___	_____

	YES	NO	NI	REMARKS

2. Waste Analysis

   a. Minimum requirements, for wastes not previously burned/treated.

      i. Required analyses; has an analysis been performed for the following:

Heating value?	___	___	___	_____
Halogen content?	___	___	___	_____
Sulfur content?	___	___	___	_____

      ii. Has documented or written data been substituted for analysis of either:

Lead?	___	___	___	_____
Mercury?	___	___	___	_____

(Note in Remarks any which you feel should be tested.)

	YES	NO	NI	REMARKS
3. Monitoring and Inspections				
a. Are combustion/emission control instruments monitored at least every 15 minutes?	___	___	___	_____
b. Is steady state maintained or corrections attempted?	___	___	___	_____
c. Is stack plume observed at least hourly for normal color and opacity?	___	___	___	_____
d. Did any stack observations made by owner or operator show a plume different than normal?*	___	___	___	_____
e. If "yes" to (d) above, were corrections made to return omissions to normal appearance?*	___	___	___	_____
f. Are the complete unit and associated equipment inspected daily for leaks, spills, and fugitive emissions?	___	___	___	_____
g. Are emergency shutdown controls and system alarms checked daily for proper operation?	___	___	___	_____
4. Open Burning				
a. Only complete this part if the facility open burns hazardous waste.				
i. Does this facility burn <u>only</u> waste explosives? (A <u>No</u> answer means <u>other</u> hazardous waste is open-burned.)	___	___	___	_____

*Specify in Remarks for what period of time this was checked.

	YES	NO	NI	REMARKS
ii. If this facility open-burns waste explosives, does it burn the waste at a distance greater than or equal to the minimum specified distance (below)	___	___	___	_____

Pounds of waste explosives or propellants	Minimum distance from open burning burning or detonation to the property of others	
0 to 100	204 m	670 ft
101 to 1,000	380 m	1,250 ft
1,001 to 10,000	530 m	1,730 ft
10,001 to 30,000	690 m	2,260 ft

Section Q: CHEMICAL, PHYSICAL AND BIOLOGICAL TREATMENT (Part 265, Subpart Q)

	YES	NO	NI	REMARKS
1. Is equipment used to treat only those wastes which will not cause leakage, corrosion, or premature failure?	___	___	___	_____
2. Is a continuously fed system equipped with a means of hazardous waste inflow stoppage or control (e.g., cut-off system)?	___	___	___	_____
3. Has the owner or operator addressed the waste analysis requirements of 265.402?	___	___	___	_____
___ *analysis for hazardous character; placed in operating record*				
4. Are inspection procedures followed according to 265.403?	___	___	___	_____
___ *discharge control equipment, every day* ___ *monitoring equipment, every day* ___ *construction materials, every week* ___ *dikes, etc., every week*				
5. Are the special requirements fulfilled for ignitable or reactive wastes?	___	___	___	_____
6. Are incompatible wastes treated? (If yes, 265.17(b) applies.)	___	___	___	_____

Note: EPA has temporarily suspended the applicability of the requirements of the hazardous waste regulations in 40 CFR Parts 122, 264 and 265 to owners and operators of (1) wastewater treatment tanks that receive, store, and treat wastewaters that are hazardous waste or that generate, store, or treat a wastewater sludge which is a hazardous waste where such wastewaters are subject to regulation under Sections 402 or 307(b) of the Clean Water Act (33 U.S.C. 1251 et seq.) and (2) neutralization tanks, transport vehicles, vessels, or containers which neutralize wastes which are hazardous only because they exhibit the corrosivity characteristics under 40 CFR §261.22, or are listed as hazardous wastes in Subpart D of 40 CFR Part 261 only for this reason.

APPENDIX GN

Section A: SCOPE

1. Complete this Appendix if the owner or operator of a TSD facility also generates hazardous waste that is subsequently shipped off-site for treatment, storage, or disposal.

Section B: MANIFEST REQUIREMENTS (Part 262, Subpart B)

	YES	NO	NI	REMARKS
1. Does the operator have copies of the manifest available for review?	X			
2. Examine manifests for shipments in past 6 months. Indicate approximate number of manifested shipments during that period. 4				
3. Do the manifest forms examined contain the following information: (If possible, make copies of, or record information from, manifest(s) that do not contain the critical elements.)				
a. Manifest document number?	X			
b. Name, mailing address, telephone number, and EPA ID number of Generator?	X			
c. Name and EPA ID number of Transporter(s)?	X			
d. Name, address, and EPA ID number designated permitted facility and alternate facility.	X			
e. The description of the waste(s) (DOT shipping name, DOT hazard class, DOT identification number)?	X			
f. The total quantity of waste(s) and the type and number of containers loaded?	X			
g. Required certification?	X			
h. Required signatures?	X			

	YES	NO	NI	REMARKS
4. Reportable exceptions		X		

a. For manifests examined in (2) (except for shipments within the last 35 days, enter the number of manifests for which the generator has NOT received a signed copy from the designated facility within 35 days of the date of shipment. _____

b. For manifests indicated in (4a), enter the number for which the generator has submitted exception reports (40 CFR 262.42) to the Regional Administrator. _____

Section C: PRE-TRANSPORT REQUIREMENTS (Part 262, Subpart C)

	YES	NO	NI	REMARKS
1. Is waste packaged in accordance with DOT regulations? (Required prior to movement of hazardous waste off-site.)	X			
2. Are waste packages marked and labeled in accordance with DOT regulations concerning hazardous waste materials? (Required for movement of hazardous waste off-site.)	X			
3. If required, are placards available to transporters of hazardous waste?		X		Transporter provides

4. On-site accumulation of generated hazardous wastes. A HWMF may accumulate hazardous waste it generates either (A) in its storage facility [265.1(b)] or (B) in accordance with 40 CFR 262.34 [see 265.1(c)(7)]. Option B restricts all accumulation to tanks and containers. If the installation elects Option A, check here X and skip to Section D. If the installation elects Option B, complete the following observations:

	YES	NO	NI	REMARKS
a. Is each container clearly marked with the start of accumulation date?				
b. Have more than 90 days elapsed since the date inspected in (a)?				
c. Do wastes remain in accumulation tanks for more than 90 days?				
d. Is each container and tank labeled or marked clearly with the words "Hazardous Waste"?				

APPENDIX TR

Section A: SCOPE:

	YES	NO	NI	REMARKS
1. Complete this Appendix if the owner or operator transports hazardous waste subject to 40 CFR 263.10. *(i.e., transport off-site)*				
2. Does the transporter transport hazardous waste into the U.S. from abroad?	___	___	___	_____
3. Does the transporter transport hazardous waste out from the U.S.?	___	___	___	_____
4. Does the transporter mix hazardous waste of different DOT shipping descriptions by placing them into a single container?	___	___	___	_____

Section B: MANIFEST SYSTEM AND RECORDKEEPING (Part 263, Subpart B)

1. Are copies of completed manifests available for review and retained for three years?	___	___	___	_____
2. Estimate the number of manifests for shipments completed during the past 6 months.	_____			
3. Examine a representative number of manifests. Indicate number examined.	_____			
4. Did transporter properly sign and date the manifests examined?	___	___	___	_____
5. Do any manifests indicate shipments delivered to other than the designated facility?	___	___	___	_____
If (5) is "no," skip 6 and 7.				
6. Do any manifests indicate shipments delivered to other than an alternate facility?	___	___	___	_____
7. Are shipments delivered to alternate facilities only because emergency prevents delivery to the designated facility?	___	___	___	_____

Section D: RECORDKEEPING AND REPORTING (Part 262, Subpart D)

	YES	NO	NI	REMARKS
1. Are all test results and analyses needed for hazardous waste determinations retained for at least three years?	X			

Section E: INTERNATIONAL SHIPMENTS (Part 262, Subpart E)

	YES	NO	NI	REMARKS
1. Has the installation imported or exported hazardous waste?		X		
(If answered Yes, complete the following as applicable.)				
a. Exporting hazardous waste; has a generator:				
i. Notified the Administrator in writing?				
ii. Obtained the signature of the foreign consignee confirming delivery of the waste(s) in the foreign country?				
iii. Met the manifest requirements?				
b. Importing hazardous waste; has the generator met the manifest requirements?				

MAR 9 1984

Mr. Richard B. Clute
Franklin Manufacturing Company
701 33rd Avenue North
St. Cloud, Minnesota 56301

Dear Mr. Clute:

The Minnesota Pollution Control Agency (MPCA) is in receipt of your February 7, 1983 letter and enclosures. I will address the adequacy of Franklin Manufacturing Company (FMC) "Storage and Handling Procedures for Hazardous Waste" and the "Employee Hazardous Waste Management Training Record."

After review of FMC's "Storage and Handling Procedures for Hazardous Waste" by MPCA staff, it has been determined that the procedure satisfy the U.S. Environmental Protection Agency (EPA) requirements as specified in 40 CFR Part 265 Subpart C and D. The storage and handling procedures will be filed in your hazardous waste management plan, thus meeting the requirements of 40 CFR Part 265.53(b).

Overall FMC's "Employee Hazardous Waste Management Training Record" looked good. However, the record lacked the employee's job title. Therefore, the MPCA staff request that FMC amend the training record to incorporate the employee's job title.

As per FMC request, I will address the handling and disposal of "Floor Dri" absorbent generated in FMC's daily operations. It is the MPCA staff's position that absorbent used in the cleanup of small (less than one gallon) oil (hydraulic cutting, etc.) spills can be disposed of through normal solid waste handling practices. However, any cleanup material resulting from a spill that involves commercial chemical products or their intermediates specifically listed in 40 CFR 261.33(e) and (f) or which involves material that may be hazardous pursuant to 6 MCAR §4.9002 must be managed as a hazardous waste.

It is the present understanding of the MPCA that FMC is in the process of closing their hazardous waste storage facility and requesting the EPA to withdraw their Part A permit application from further permitting consideration. Please be advised that during my initial EPA hazardous waste inspection, FMC qualified as a federal hazardous waste storage facility. In order to close your storage facility, FMC must fulfill the EPA closure requirements contained in 40 CFR Part 265.111 through 115. Please find enclosed a copy of these requirements for your information. This would include submitting FMC's closure plan to the EPA, Region V administrator and this office. Prior to closure FMC must dispose of or recycle all hazardous waste that have been accumulated for more than 90 days. The MCPA will review your closure plan and make arrangements with you to conduct a final inspection verifying closure.

A copy of this letter will be sent to the EPA, Region V office in Chicago, Illinois. Any enforcement actions related to this inspection will be initiated by the EPA or the MPCA. This letter does not preclude the MPCA from taking other enforcement actions as warranted pursuant to any violations of Minnesota regulations and statutes.

If you have any questions, please contact me at 612/297-2710 or Kenneth Skahn at 312/886-4158 of the EPA, Region V.

Sincerely,

M.J.T 3-8-83

Michael J. Tibbetts
Compliance and Enforcement Unit
Regulatory Compliance Section
Solid and Hazardous Waste Division

MJT/dc

cc: Mr. Richard Dell, EPA, Region V
Mr. Larry Shaw, MPCA Regional Office, Brainerd

bcc: James Warner

NOV 0 1 1983

Mr. Richard B. Clute
Franklin Manufacturing Company
St. Cloud, Minnesota 56301

Dear Mr. Clute:

Thank you for your letter of October 14, 1983 containing updated disclosure forms. There are still some items remaining to be resolved. These items are listed and commented upon as follows:

1. The updated inventory (listing wastes 11 thru 18) was not signed and dated. Please find enclosed.

2. New management plans were submitted for Wastes #2, 9, 10, 11, and 17 and these plans seem to be in good order.

3. I am returning the March, 1982 management plans for Wastes #7, 15, and 16. It will not be necessary to make out new forms. Please date and sign. The date at part C.1. can be crossed out and November 1, 1983 to November 1, 1984 can be entered so as to correspond with the current signing date. Please add Environmental Protection Agency identification numbers where appropriate.

   However, with regard to Wastes #15 and 16, you indicated during our telephone call on July 13, 1983 that the TDI is mixed with the urethane. Therefore, it appears that you have no TDI waste. Waste #16 is listed as "Waste Resin" from urethane foaming. You stated that you have no urethane monomer waste; that it is polyurethane waste. Fully cured polyurethane resin should not be classed as hazardous.

   If you have a "bad batch" where the resin does not foam or set up properly you may have an excess of one of the components which might make the waste hazardous. I note that you have Rigid Cured Foam, Waste #12, as a solid and nonhazardous waste. Waste #16, waste resin, is listed as liquid/solid indicating unreacted component is present. I will call you in a few days so that I can understand better what this waste is.

4. I have checked your Certificate of Exemption and find that you have PCB capacitors in storage. At some point in time these will become hazardous waste. Therefore, "PCB waste" should be entered on your inventory. "Capacitors" can be entered in the Physical State column. Your Cerificate of Exemption can be cross referenced by entering the Certificate number in the first column of the inventory.

5. Please provide information concerning your management of empty containers in which hazardous material was received.

If there are further questions, we can discuss them when I call you within the next few days. Thank you for your cooperation.

Sincerely,

PK
11/1/83

Martin H Little

Martin H. Little
Hazardous Waste Compliance and Enforcement Unit
Regulatory Compliance Section
Solid and Hazardous Waste Division

MHL/pak

Enclosures

JUL 01 1983

Mr. Richard B. Clute
Franklin Manufacturing Company
701 North 33rd Avenue
St. Cloud, Minnesota 56301

Dear Mr. Clute:

Re: Update and completion of your hazardous waste disclosure dated September 24, 1980

Mr. Darryl Weakley has been assigned to another program and I now have your hazardous waste disclosure to review. I have checked through the information now on file and have the following questions and comments:

1. Revisions to your original disclosure have been made according to letters dated March 12, 1982 and July 21, 1982. However, these revisions were neither signed nor dated. Also, the management period (Part C.1.) was not changed to reflect the revision date (i.e. the original period "September 4, 1980 to September 4, 1981" was entered).

   I am returning these forms for signature and for any up-dating that is necessary. (See following items). Simply line out any information no longer applicable and enter the up-to-date information. If many changes are needed you may want to make out a new form (your option). Some blank forms have been enclosed.

2. Material Safety Data Sheets (MSDS) are needed for the paints currently used. We have on file one MSDS for Brown Acrylic Ester Enamel. Also on file is a chemical analysis report for Bonderite #4 and Bonderite #2 dried paint residues. Have you changed paints or added any new paints since submitting the September 24, 1980 hazarodus waste disclosure?

3. Your waste management plans for the following wastes list Waste Research and Reclamation as the transporter and receiving facility:

   Waste #2, Paint Solvent
   Waste #5, Blue Surf Ash
   Waste #9, Cleaning Solvent
   Waste #10, Urethane Foam Flush
   Waste #11, Mold Stripper Solvent

Please note that U.S. Environmental Protection Agency (EPA) identification numbers are needed on your management plans for transporters and facilities. (TR numbers are no longer used.)

4. Results on Blue Surf Ash (Waste #5) show 15 ppm lead for the leach test (Pace Laboratories, Attachment III, sample received June 2, 1980). Therefore, this waste is a hazardous waste. However, in a letter dated July 21, 1981 you request that waste #5 be removed from the disclosure and state:

   "Having recently reviewed the lab reports on the Blue Surf Ash, I am confident you will understand this change." Please clarify the reason for your request.

5. Is waste oil (Waste #7) a crankcase oil or a machining lubrication oil? Crankcase oil was checked off on the form. In either case, waste oil should not be used for dust suppression.

6. A management plan (green form) was submitted for "Oil Spillage" and 75% Fuller's Clay was listed as a component. Is the Fuller's Clay used as an absorbent?

   Spills, should be covered in an emergency spill plan (Part C.9.b. of the management plan). Your waste oil management emergency spill plans should be specific for the given waste. In the case of Waste #7, the management of spilled oil will undoubtedly be different from the management of waste oil because of the Fuller's Clay) and this difference in management should be addressed in the emergency spill plan.

7. The management plan for Bonderite waste (Waste #13) indicates that the composite pH is 8.5. Please explain, what is the composite? What is the pH of Bonderite Parco Cleaner waste as generated and discharged to the sewer drain? Is any clean water added to dilute the waste before discharge to the sewer drain?

8. The management plan for Bonderite Paroclene 60 (Waste #14) indicates that the chromium is diluted to 7.5 ppm. Where does this dilution take place, before discharge to the sewer drain or in the plant sewer system before discharge to the municipal sewer line?

9. Management plans for urethane wastes (Wastes #15 and #16) need transporter and facility EPA identification numbers. You refer to "urethane" waste. Please clarify if this waste is the monomer or polyurethane. Also is the Toluene Diisoeyanate (TDI) waste mixed with urethane or is it just TDI (unused material, empty container residue or something else)?

10. You have a general write-up on safe handling and on spill procedures, but the unique properties of each individual waste (or group of similar wastes) should be addressed in Part C.9.a. and b. of the managemetn plan (see item 6 of this letter). The appropriate items of your general write-up can be referenced in your C.9.a. and b. write-ups if all are not applicable to the given waste.

11. I have reviewed some of your recent shipping manifests and note that waste Methylene Chloride (UN 1593) was shipped. Please identify by waste inventory number from your disclosure the waste(s) that comprised these shipments. Likewise, please identify the waste Cholorotrifluoromethane waste shipped last November 8, 1982. I could not identify this waste on your disclosure. If either of these wastes are new wastes management plans are needed for each to complete your disclosure file.

12. Do you still have PCB equipment in service? If so, then a management plan needs to be submitted. The failure of PCB equipment is unpredictable, therefore the estimate of waste to be produced in a given period can be replaced by the number, size and kind of units in service and Part C.1. can be left blank.

If you have any questions, please give me a call. Please submit the needed information within thirty (30) days so that I can expeditiously complete your disclosure review.

Sincerely,

Martin H Little

Martin H. Little
Hazardous Waste Compliance and Enforcement Unit
Regulatory Compliance Section
Solid and Hazardous Waste Division

MHL:sf

Enclosure

ML 130

Minnesota Pollution Control Agency

March 8, 1983

Mr. Richard B. Clute
Franklin Manufacturing Company
701 33rd Avenue North
St. Cloud, Minnesota 56301

MND 092 304 856

Dear Mr. Clute:

The Minnesota Pollution Control Agency (MPCA) is in receipt of your February 7, 1983 letter and enclosures. I will address the adequacy of Franklin Manufacturing Company (FMC) "Storage and Handling Procedures for Hazardous Waste" and the "Employee Hazardous Waste Management Training Record."

After review of FMC's "Storage and Handling Procedures for Hazardous Waste" by MPCA staff, it has been determined that the procedure satisfy the U.S. Environmental Protection Agency (EPA) requirements as specified in 40 CFR Part 265 Subpart C and D. The storage and handling procedures will be filed in your hazardous waste management plan, thus meeting the requirements of 40 CFR Part 265.53(b).

Overall FMC's "Employee Hazardous Waste Management Training Record" looked good. However, the record lacked the employee's job title. Therefore, the MPCA staff request that FMC amend the training record to incorporate the employee's job title.

RECEIVED
MAR 11 1983
WASTE MANAGEMENT BRANCH

As per FMC request, I will address the handling and disposal of "Floor Dri" absorbent generated in FMC's daily operations. It is the MPCA staff's position that absorbent used in the cleanup of small (less than one gallon) oil (hydraulic cutting, etc.) spills can be disposed of through normal solid waste handling practices. However, any cleanup material resulting from a spill that involves commercial chemical products or their intermediates specifically listed in 40 CFR 261.33(e) and (f) or which involves material that may be hazardous pursuant to 6 MCAR §4.9002 must be managed as a hazardous waste.

Phone:_____
1935 West County Road B2, Roseville, Minnesota 55113-2785
Regional Offices • Duluth/Brainerd/Detroit Lakes/Marshall/Rochester
Equal Opportunity Employer

It is the present understanding of the MPCA that FMC is in the process of closing their hazardous waste storage facility and requesting the EPA to withdraw their Part A permit application from further permitting consideration. Please be advised that during my initial EPA hazardous waste inspection, FMC qualified as a federal hazardous waste storage facility. In order to close your storage facility, FMC must fulfill the EPA closure requirements contained in 40 CFR Part 265.111 through 115. Please find enclosed a copy of these requirements for your information. This would include submitting FMC's closure plan to the EPA, Region V administrator and this office. Prior to closure FMC must dispose of or recycle all hazardous waste that have been accumulated for more than 90 days. The MCPA will review your closure plan and make arrangements with you to conduct a final inspection verifying closure.

3 Copy of letter given to B. Strom of Version for Part A file. KPS 3/25/83

A copy of this letter will be sent to the EPA, Region V office in Chicago, Illinois. Any enforcement actions related to this inspection will be initiated by the EPA or the MPCA. This letter does not preclude the MPCA from taking other enforcement actions as warranted pursuant to any violations of Minnesota regulations and statutes.

If you have any questions, please contact me at 612/297-2710 or Kenneth Skahn at 312/886-4158 of the EPA, Region V.

Sincerely,

Michael J. Tibbetts

Michael J. Tibbetts
Compliance and Enforcement Unit
Regulatory Compliance Section
Solid and Hazardous Waste Division

MJT/dc

cc: Mr. Richard Dell, EPA, Region V
Mr. Larry Shaw, MPCA Regional Office, Brainerd

MINNESOTA POLLUTION CONTROL AGENCY

Route to:
(1) File
(2)
(3)
(4)

OFFICE MEMORANDUM

File: Franklin Manufacturing

Location: St. Cloud Stearns
(City, Village, Township, Section, Range, County, etc.)

Subject: Telephone Conversation With Mr. Richard Clute

By Whom: Mike Tibbetts Date: December 13, 1982

Investigation ___ Conference ___ Office Field ___ Hearing ___ Meeting ___ Phone ✓

Items to be Covered: (1) Those present and/or those interviewed
(2) Situation
(3) Further action, follow-up, recommendations

① Mr. R. Clute, Franklin Manufacturing (612) 253-1212

② - I called R. Clute and asked him when he was going to submit Franklin MFG. closure plan. He told me that he received an inquiry from the EPA, that asked the same question. He will prepare the closure plan and submit it to the EPA Region V and this office once he has disposed of all H. waste stored for more than 90 days. He will also submit copies of the personnel Training (262.34) and contingency plan.

I asked Dick about the status of the paint ash (200+ containers) that Midway Iron stored on their property and Franklin MFG now is storing. He informed me that Waste Research & Reclamation is working with them on this. The Ash appears to be hazardous under MPCA rules (6MCAR 4.9002 list 2) and not hazardous under EPA rules. He asked if Franklin could store the ash on-site

(over)

until the MPCA's new rules become effective. I told that Franklin would have to submit a proposal. The MPCA would either approve or denie the request.

3- Call Dick Clute back within 30 days to track status of storage facility closure.

MJT

Minnesota Pollution Control Agency

AUG 06 1982

Mr. Warren Hull
Franklin Manufacturing Company
701 33rd Avenue North
St. Cloud, Minnesota 56301

Dar Mr. Hull:

This letter is to notify the Franklin Manufacturing Company that the Minnesota Pollution Control Agency (MPCA) has received a copy of a hazardous waste manifest indicating the shipment of 47 barrels (55 gallons each) of waste methylene chloride to Waste Research and Reclamation in Eau Claire, Wisconsin on July 1, 1981. Based upon MPCA records, Franklin Manufacturing Company does not have a hazardous waste management plan on file for waste methylene chloride.

In addition, the MPCA has not received the "facility copy" of the July 1, 1981 manifest confirming delivery. 6 MCAR §4.9008 E.3. requires the generator to ensure that a facility copy is returned to the Hennepin County computer when the generator ships hazardous waste to an out-of-state facility.

As a result, the MPCA requests the submission of the following information:

1. A completed hazardous waste management plan for waste methylene chloride (form enclosed);

2. A copy of the hazardous waste manifest with the facility operators' signature confirming acceptance of the shipment.

Please submit the requested information within 30 days of your receipt of this letter. If you have any questions regarding this matter, feel free to call me at 612/297-3364.

Sincerely,

Richard Scott Lupin

Richard Scott Lupin
Regulatory Compliance Section
Solid and Hazardous Waste Division

RSL/dc

Phone:
1935 West County Road B2, Roseville, Minnesota 55113-2785
Regional Offices • Duluth/Brainerd/Detroit Lakes/Marshall/Rochester

FRANKLIN MANUFACTURING COMPANY
A Division of White Consolidated Industries, Inc.

November 11, 1982

Minnesota Pollution Control Agency
1935 West County Road B2
Roseville, MN 55113

Attn: Mr. Richard Baxter

Richard,

In response to our phone conversation, I am confirming the increased quantities of the one time disposal of the paint ash accumulated prior to receiving codisposal approval.

The total amount of ash disposed, Blu Surf and Midway Ash inclusive, was 234 cubic yards.

This amount equates to approximately:

104 - 55-gallon drums of Blu Surf Ash
704 - 55-gallon drums of Midway Ash

At this time, I am anticipating the continuous monthly disposal quantities to remain consistent with the original reported quantities.

Please direct any questions or comments to my attention.

Richard B. Clute
Manufacturing Engineer

RBC/mcs

cc: Lawrence Kreger, Elk River Sanitary Landfill

701 33RD AVENUE N. • ST. CLOUD, MINNESOTA 56301 • 612/253-1212

OCT 18 1982

Mr. Lawrence Kreger
Elk River Sanitary Landfill SW-74
22460 Highway 169
Elk River, Minnesota 55330

Dear Mr. Kreger:

In accordance with your request of May 26, 1982 to the Minnesota Pollution Control Agency (MPCA) to dispose of Franklin Manufacturing Company's paint ash, MPCA approval to accept this waste is hereby granted to Elk River Sanitary Landfill (SW-74) located at Section 3, T33N, R26W in Elk River Township, Sherburne County.

MPCA approval is subject to the following conditions:

1. Disposal shall be limited to:

   a. A one time disposal of 50 55-gallon drums of waste identified as blu surf paint ash.

   b. A one time disposal of 135 55-gallon drums of waste identified as paint ash from Midway Iron.

   c. Monthly disposal of five 55-gallon drums of blu surf paint ash.

   d. Monthly disposal of 30 55-gallon drums of Midway Iron paint ash.

   e. Monthly disposal of 4000 cubic feet of polyurethane foam.

2. The waste shall be disposed of using routine landfill practices.

3. Beginning in July, 1983, annual analysis of the paint waste shall be performed by the generator for the applicable parameters to verify that the composition of the waste has not changed. In lieu of chemical analysis the generator may provide the MPCA written certification that the composition of the ash has not changed based on the type of paint used and the process involved in generating the waste.

4. A waste certification form shall be completed and signed by the generator and accompany the initial shipment of waste to the landfill.

It is the responsibility of the landfill operator to verify that the material received is only the waste that has been authorized to be disposed. The amounts of waste received and the method of disposal are to be reported on the quarterly operation report submitted to the MPCA.

If you have any questions or comments, please contact Mr. Richard Baxter of my staff at (612) 297-2707.

Sincerely,

Dale L. Wikre
Director
Solid and Hazardous Waste Division

DLW/rj

cc: Richard Clute, Franklin Manufacturing Company
Brian Benson, Sherburne County Solid Waste Officer
Larry Shaw, MPCA Regional Director, Brainerd

10/13

BCC DLW
CWM
JM
RAB

DJR

AUG 26 1982

Mr. Richard B. Clute
Franklin Manufacturing Company
701 N. 33rd Avenue
St. Cloud, Minnesota 56301

Dear Mr. Clute:

This letter is intended to summarize our August 11, 1982 meeting at Franklin Manufacturing Company. The issues discussed at the meeting are outlined below.

1. Submittal of manufactures data sheets and sampling protocol for the paint ash on Franklin's May 26, 1982 codisposal request.

   The processing of Franklin's May 26, 1982 codisposal request is contingent on the receipt of manufacturers information on the paint and the sampling technique used to obtain the samples. Also a statement verifying that the paint ash on the codisposal request is resultant from the paint which the manufacturers information was provided.

2. Sampling protocol used and analytical results from split samples on the 229 barrels of paint ash stored behind Frankin's plant.

   A separate codisposal request will be necessary pending the results of the analysis on the paint ash being stored on site at Franklin. Due to the number of barrels involved and consequently the large financial impact of our decision, the Minnesota Pollution Control Agency (MPCA) requests splitting the sample between two independant laboratories for analysis.

3. Disposal of "Flor-Dri" oil absorbent with other nonhazardous plant refuse.

   Franklin's waste "Flor-Dri" oil absorbent should be evaluated according to 6 MCAR §4.9002 D. of the state hazardous waste rules. If nonhazardous it should be disposed in compliance with SW-4 of the Minnesota Solid Waste Disposal Regulations. Formal approval for the disposal of nonhazardous industrial waste is given through the codisposal process.

If you have any questions regarding these issues, please contact me. Thank you for your cooperation.

Sincerely,

Darryl J. Weakley
Compliance and Enforcement Unit
Regulatory Compliance Section
Solid and Hazardous Waste Division

DJW/rj

DJW 8/24/82
RE: S 24-82

FRANKLIN MANUFACTURING COMPANY
A Division of White Consolidated Industries, Inc.

April 28, 1982

Mr. Michael J. Tibbetts
Pollution Control Specialist
Intermediate Enforcement Unit
Regulatory Compliance Section
Solid and Hazardous Waste Division
Minnesota Pollution Control Agency
1935 West County Road B2
Roseville, Minnesota 55113-2785

Dear Mr. Tibbetts:

Reference: Mr. Tibbetts' Letter of March 30, 1982

A written response from Franklin Manufacturing Company has been requested in your letter dated March 30, 1982, concerning violations of the Resource Conservation and Recovery Act of 1976, Public Law 94-580.

Franklin Manufacturing Company has an active program designed and nearly complete to implement all steps necessary to comply with RCRA. It is the intention of Franklin Manufacturing Company to remain an active part of the manufacturing community while at the same time controlling the environment impact of our industry. As guidelines and laws have developed and/or changed in reference to hazardous waste materials, we at Franklin Manufacturing Company have been attempting to keep up with these changes. In so doing we found it necessary to engage an outside consulting service, PACE Laboratories Inc., to help us. PACE Laboratories Inc. are located in Minneapolis and have done substantial work for us in the past in regard to all types of environmental activity.

In responding to the individual citations listed in your letter, please allow me to start first with item #4:

> We are with the help of PACE Laboratories making some minor revisions to the contingency plan you reviewed during your visit. There were some changes required in the initial plan worked out by PACE Laboratories and we are finalizing those revisions. As soon as this plan is finalized, we will make all necessary distributions to local authorities.
>
> Your citations #1 through #3 deals with the documentation into employee personnel records and the necessary training to permit the document to be entered into the employee's personnel files. This is dependent upon our

contingency plan which should be completed in the very near future as I have previously mentioned.

Your citations #5, #6, and #7 dealing with the operating record, closure plan, and closure cost estimates have been compiled and are on file for your review at any time.

Mike, we are attempting to keep as current as possible and to keep our end of all environmental topics in a compliance state. Some of the regulations are cumbersome, difficult to understand, vague, and change rapidly. We are doing our best through the use of PACE Laboratories and our personnel to keep current.

If you have any questions, please feel free to contact me.

Sincerely,

Warren L. Hull
Vice President, Manufacturing

WLH:ce

cc: Mr. Kenneth Skahn, U.S. EPA, Region V, Chicago

INSPECTION REVIEW FORM

NAME OF FACILITY: Franklin Manufacturing

ID NO. MND 092304856

LOCATION: (Address): 701 33rd ave N.
St. Cloud Minn 56301

OPERATION: (G) T (TSD)
(Circle Appropriate)

INSPECTOR (S) F J

DATE OF INSPECTION: 1-27-82

NAME OF REVIEWER & DATE: Paul Dimick 4-12-82 revid 4-7-82

COMPLIANCE STATUS
(circle one) IN (OUT)

VIOLATION CLASSIFICATION: None I II (III)

STATE ACTION: letter indicating deficiencies dated 3-30-82

RECOMMENDED ACTION:

NONE (MONITOR STATE) LETTER ADMINISTRATIVE COMPLAINT REFERRAL

ASSIGNEE: —

DATE ASSIGNED:

cc: Unit Inspection Log

Minnesota Pollution Control Agency

Mr. Kenneth Skahn
Minnesota State Implementation Officer
Hazardous Waste Management Branch 5 WB-TUB
U.S. Environmental Protection Agency
Region V
230 South Dearborn Street
Chicago, Illinois 60604

March 30, 1982

Dear Ken:

Re: Interim Status Standards Inspection - Franklin Manufacturing Company MND092304856

Enclosed for your consideration are:

1. RCRA Inspection Report for the above facility.
2. Transmittal letter to Mr. Warren Hull, Vice President Manufacturing including listing of 40 CFR violations.

As I began my inspection, I met with Mr. Richard Klute, Manufacturing Engineer responsible for Franklin Manufacturing Company (FMC) hazardous waste management. Mr. Klute maintained that FMC should be considered a hazardous waste generator only and not a storage facility. I proceeded to ask him questions pertaining to generators only, in which FMC met most of the requirements. However, as I inspected their hazardous waste storage areas I noticed numerous containers of hazardous waste that indicated that the accumulation dates had gone beyond the ninety (90) day allowable time limit. After completing my inspection, I informed Mr. Klute that FMC will be considered a hazardous waste generator and a storage facility. I also mentioned that FMC was in compliance with 40 CFR Part 122, the reason for this being that they had previously submitted a Part "A" permit application.

At the time of my inspection at FMC, seven (7) violations of 40 CFR Part 265 were cited. The most severe being the lack of an operating record and failure to have a closure plan and closure cost estimates available for inspection. I have given FMC thirty (30) days to respond to the RCRA violations. If the company fails to respond in the given time frame, then the MPCA will seek more formal enforcement action as warranted.

Phone:_____
1935 West County Road B2, Roseville, Minnesota 55113-2785
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If you have any additional comment or questions regarding my inspection, feel free to contact me at 612-297-3359.

Sincerely,

Michael J. Tibbetts

Michael J. Tibbetts
Pollution Control Specialist, Intermediate
Enforcement Unit
Regulatory Compliance Section
Solid and Hazardous Waste Division

MJT:sf

Enclosures

Minnesota Pollution Control Agency

March 30, 1982

Mr. Warren Hull
Vice President, Manufacturing
Franklin Manufacturing Company
701 33rd Avenue North
St. Cloud, Minnesota 56301

Dear Mr. Hull:

Re: Interim Status Standards Inspection - Franklin Manufacturing Company MND092304856

The Minnesota Pollution Control Agency (MPCA) is cooperating with the U.S. Environmental Protection Agency (EPA), Region V in carrying out the provisions of the Resource Conservation and Recovery Act (RCRA) of 1976, Public Law 94-580. In this effort, personnel of the MPCA are conducting inspections of facilities in Minnesota that are engaged in the generation, transportation, storage, treatment or disposal of hazardous waste materials.

This letter will acknowledge my January 27, 1982 meeting and inspection at Franklin Manufacturing Company (FMC), St. Cloud, Minnesota. As a result of this inspection the MPCA has determined that FMC qualifies as a hazardous waste generator and a storage facility, therefore subject to regulation under 40 Code of Federal Regulation (CFR) Parts 262 through 265 and Parts 122 and 124 and the notification requirements of Section 3010 of RCRA. This determination was made based on the on-site generation and storage for more than ninety (90) day of spent halogenated (F002) and non-halogenated (F005) solvents in quantities that exceed the 1,000 Kilogram (2,200 pound) per calendar month limit.

During the course of my inspection the following violations of 40 CFR Part 265 were cited:

1. Failure to document job titles into the employee's personnel record as specified in 40 CFR Part 265.16(d)(1).

2. Failure to document job descriptions into the employee's personnel record as specified in 40 CFR Part 265.16(d)(2).

Phone:
1935 West County Road B2, Roseville, Minnesota 55113-2785
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3. Failure to document a written description of training received into the employee's personnel record as specified in 40 CFR Part 265.16(d)(3).

4. Failure to submit copies of the contingency plan to all local authorities as specified in 40 CFR Part 265.53(b).

5. Failure to have an operating record as specified in 40 CFR Part 265.73.

6. Failure to have a written closure plan available for inspection as specified in 40 CFR Part 265.112.

7. Failure to have written closure cost estimates available for inspection as specified in 40 CFR Part 265.142.

I met with Mr. Klute prior to inspecting FMC hazardous waste storage area. He had some questions regarding the transportation of hazardous waste including the types of U.N. numbers to use on hazardous waste manifests. I believe these questions can best be addressed by Mr. Pete Marcotte or Mr. Ray Jones, Minnesota Department of Transportation, Rates and Regulations, 612-296-7115. Both men are knowledgeable of 49 CFR, Hazardous Materials Transportation Regulation, and should be able to assist FMC in any transportation questions they may have.

The MPCA views the cited RCRA violations to be serious in nature and therefore requests the FMC submit a written response addressing these violations to this office within thirty (30) days of receipt of this letter. The written response should include the necessary actions FMC will take to assure compliance with RCRA. A copy of this letter should also be sent to:

Mr. Kenneth Skahn
Minnesota State Implementation Officer
Hazardous Waste Management Branch 5WB-TUB
U. S. Environmental Protection Agency
Region V
230 South Dearborn Street
Chicago, Illinois 60604

A copy of this letter and the inspection report will be sent to the U.S. EPA, Region V Office in Chicago, Illinois.

Any enforcement action related to this inspection will be initiated by the Minnesota Pollution Control Agency, Solid and Hazardous Waste Division. This letter does not preclude the MPCA from taking other enforcement action as warranted pursuant to any violations of Minnesota Regulations and Statutes.

If you should have any additional comment or questions regarding my inspection, feel free to contact me at 612-297-3359.

Sincerely,

Michael J. Tibbetts

Michael J. Tibbetts
Pollution Control Specialist, Intermediate
Enforcement Unit
Regulatory Compliance Section
Solid and Hazardous Waste Division

MJT:sf

cc: Kenneth Skahn, U.S. EPA, Region V, Chicago, Illinois
Ken Meyer, St. Cloud City Health Department
Ken Hopke, Stearns County Solid Waste Officer

1	4	5	D	0	1	2

MND 092 304 856

12 March 1982
revision forms
with 6 Nov 84 update

STATE OF MINNESOTA
HAZARDOUS WASTE DISCLOSURE

A. Generator Information

1. Company Name: White Consolidated Industries Telephone: 1-216-252-3700

   Address: 11770 Berea Road

   Cleveland, OH 44111

2. Plant Name/Division: Franklin Manufacturing Co Telephone: 1-612-253-1212

   Address: 701 North 33rd Avenue

   St. Cloud, MN 56301 County: Stearns

3. Responsible Person: Warren Hull Telephone:

   Address: 701 North 33rd Avenue Business: 1-612-253-1212

   St. Cloud, MN 56301 Residence or Emergency:

B. Send completed forms and numbered attachments to:

Minnesota Pollution Control Agency
Hazardous Waste Management Unit
1935 W. County Road B2
Roseville, Minnesota 55113

C. For each hazardous waste or mixture containing a hazardous waste identified in the Waste Inventory section below, complete and attach a separate Hazardous Waste Management Plan (green form).

D. Waste Inventory*

	Process, Activity, Service Department	SIC(s)	Waste Type	Physical State	Check One Non-Haz.	Haz.
11.	Urethane Foaming		Mold Stripper Solvent	Liquid		X
12.	Urethane Foaming		Rigid Cured Foam	Solid	X	
13.	Bonderite		Parco Cleaner	Liquid		X
14.	Bonderite		Parcolene 60	Liquid		X
15.	Urethane Foaming		Waste TDI	Liquid/ Solid		X
16.	Urethane Foaming		Waste Resin	Liquid/ Solid		X
17.	Urethane Foaming		Mold Stripper Solids	Solid		X
18.	Urethane Foaming		Mesamoll	Liquid/ Solid		X
19.	Transformer Ref: CE0000120		PCB	Liquid		X
20.	Capacitors Ref: CE0000120		PCB	Capacitors		X

*If additional space is needed for this waste inventory, complete on a separate sheet of paper labeled Attachment 1. Waste Inventory Continued.

E. I certify that I am familiar with the information contained in this disclosure, and that to the best of my knowledge and belief, such information is true, complete and accurate. Included with this disclosure is _____ attachments, numbered _____ thru _____.

R. R. [illegible]
Signature of Applicant

ENVIRONMENTAL ENG SUPV
Title

11/6/84
Date

STATE OF MINNESOTA
HAZARDOUS WASTE MANAGEMENT PLAN

6 Nov 84 Update
3/12/82 Revision

A. Complete a separate Management Plan Form (this form) for each hazardous waste or mixture containing a hazardous waste identified in Item D of the Hazardous Waste Disclosure Form.

B. Waste Identification and Evaluation:

1. Name of generator (from Items A.1. and A.2. of Disclosure Form):
Franklin Manufacturing Company

2. Inventory number, name, type of waste (from Item D of Disclosure Form):
D. 7. - Maintenance, Waste Oil

3. Major constituents of waste. List all known components (whether hazardous or not) and approximate concentration of those greater than 1%. Attach and number any explanatory reports or data:

Component	Concentration (%) (range)	Component	Concentration (%) (range)
NA			

4. Hazardous components of waste. List all known or suspected components of the waste or leachate of the waste which are listed in 6 MCAR § 4.9002 B.1.

Component	Concentration (ppm) (range)	Component	Concentration (ppm) (range)
NA			

5. Hazardous properties. Check one or more of the following hazardous properties found for this waste. Complete and attach the Hazardous Waste Evaluation Data Form. Also attach and number explanatory reports or data describing why this hazardous waste does or does not exhibit these hazardous properties:

- [ ] Toxic
- [ ] Irritative
- [ ] Petroleum Waste
- [ ] Other
- [ ] Corrosive
- [ ] Explosive
- [X] Used Crankcase Oil
- [ ] Flammable
- [ ] Oxidative
- [ ] List 1 and/or 2 (6 MCAR § 4.9002)

6. Waste code (MPCA to complete):

PQ-00277-01 (612)297-2713
12/79

C. Hazardous Waste Management Plan:

1. Hazardous waste management plan period: From ~~9/4/80~~ 11/1/84 to ~~9/4/81~~ 11/1/85.

2. Estimated amount of this waste to be produced during the management plan period (Item C.1. above): 2500 (gallons).

3. Briefly describe how and where this waste will be stored prior to shipment and/or disposal or other ultimate disposition (attach and number additional sheets labeled Management Plan Item C.3. Continued): Waste oils are released to employees for their personal use. Typical uses are: farm lubrication, ~~dust suppression~~ and auxiliary heat for work shops.

4. What is the anticipated frequency of shipment of this waste:

_____ per (day, week, month, year) or other, specify as generated

5. What is the anticipated quantity of each of the shipments of this waste:

55 (gallons, tons, yards) or other, specify _____

6. Is this waste authorized to be comingled with any other wastes? ___ Yes X No

Generator Name	Establishment No.	Waste	Waste Code

7. Transporter to be used (name and MPCA registration number):

Name	Registration Number

8. Disposer, treatment, storage, and/or recovery facility, and method or process to be used (name and MPCA permit number or state, if not Minnesota):

Name	State or Permit No.	Method/Process
[redacted]	[redacted]	

9. Special procedures and/or instruction. Attach and number a description of:

a. Equipment, labels, and procedures for safe handling of this waste;
b. Emergency procedures in case of a spill;
c. Additional information the generator deems important.

I certify that I am familiar with the information contained in this Management Plan, and that to the best of my knowledge and belief, such information is true, complete and accurate. Included with this Management Plan are ___ attachments, numbered ___ thru ___.

[signature] ELEC ENG SUPV 11/6/84

Signature of Applicant Title Date

STATE OF MINNESOTA
HAZARDOUS WASTE MANAGEMENT PLAN

3/12/82 addition

A. Complete a separate Management Plan Form (this form) for each hazardous waste or mixture containing a hazardous waste identified in Item D of the ~~Hazardous Waste~~ Disclosure Form.

145-00048

B. Waste Identification and Evaluation:

1. Name of generator (from Items A.1. and A.2. of Disclosure Form):

   Franklin Manufacturing Company

2. Inventory number, name, type of waste (from Item D of Disclosure Form):

   D.15. - Urethane Foaming, Waste TDI

3. Major constituents of waste. List all known components (whether hazardous or not) and approximate concentration of those greater than 1%. Attach and number any explanatory reports or data:

Component	Concentration (%) (range)	Component	Concentration (%) (range)
Toluene Diisocyanate	60		

4. Hazardous components of waste. List all known or suspected components of the waste or leachate of the waste which are listed in 6 MCAR § 4.9002 B.1.

Component	Concentration (ppm) (range)	Component	Concentration (ppm) (range)

5. Hazardous properties. Check one or more of the following hazardous properties found for this waste. Complete and attach the Hazardous Waste Evaluation Data Form. Also attach and number explanatory reports or data describing why this hazardous waste does or does not exhibit these hazardous properties:

- [X] Toxic
- [X] Irritative
- [ ] Petroleum Waste
- [ ] Other
- [ ] Corrosive
- [ ] Explosive
- [ ] Used Crankcase Oil
- [ ] Flammable
- [ ] Oxidative
- [ ] List 1 and/or 2 (6 MCAR § 4.9002)

6. Waste code (MPCA to complete): | 0 | I | X | X | 3 | 2 | | | | |

PQ-00277-01 (612)297-2713
12/79

C. Hazardous Waste Management Plan: 11/1/84 TO 11/1/85

1. Hazardous waste management plan period: From ~~9/-/80~~ to ~~9/4/81~~.

2. Estimated amount of this waste to be produced during the management plan period (Item C.1. above): Unknown (gallons).
This is an intermittent waste stream.

3. Briefly describe how and where this waste will be stored prior to shipment and/or disposal or other ultimate disposition (attach and number additional sheets labeled Management Plan Item C.3. Continued): See attachment labeled "Management Plan Item C.3." for property layout which locates hazardous waste storage area for non-flammable wastes.

440 gal/ drum 4 max. OK shipping mgmt.

4. What is the anticipated frequency of shipment of this waste:
_____ per (day, week, month, year) or other, specify As required

5. What is the anticipated quantity of each of the shipments of this waste:
_____ (gallons, tons, yards) or other, specify _____

6. Is this waste authorized to be comingled with any other wastes? __ Yes X No

Generator Name	Establishment No.	Waste	Waste Code

7. Transporter to be used (name and MPCA registration number):

Name	Registration Number
~~Jones Chemicals, Inc.~~	~~TR0005~~
WASTE RESEARCH & RECLAMATION	WID990829475

8. Disposer, treatment, storage, and/or recovery facility, and method or process to be used (name and MPCA permit number or state, if not Minnesota):

Name	State or Permit No.	Method/Process
~~Jones Chemicals, Inc.~~ ~~Indiana~~	~~IN4901-0000-11~~	~~Solidification/Incineration~~
ROLLINS ENVIRONMENTAL SERVICES (LA) INC.	LAD010395127	INCINERATION

9. Special procedures and/or instruction. Attach and number a description of:

a. Equipment, labels, and procedures for safe handling of this waste;
b. Emergency procedures in case of a spill;
c. Additional information the generator deems important.

D. I certify that I am familiar with the information contained in this Management Plan, and that to the best of my knowledge and belief, such information is true, complete and accurate. Included with this Management Plan are ___ attachments, numbered ___ thru ___.

Signature of Applicant	Title	Date
	ENVIRON ENG SUPV.	11/6/84

STATE OF MINNESOTA
HAZARDOUS WASTE MANAGEMENT PLAN

3/12/82 addition

A. Complete a separate Management Plan Form (this form) for each hazardous waste or mixture containing a hazardous waste identified in Item D of the Hazardous Waste Disclosure Form.

145-00649

B. Waste Identification and Evaluation:

1. Name of generator (from Items A.1. and A.2. of Disclosure Form):

Franklin Manufacturing Company

2. Inventory number, name, type of waste (from Item D of Disclosure Form):

D.16. Urethane Foaming, Waste Resin

3. Major constituents of waste. List all known components (whether hazardous or not) and approximate concentration of those greater than 1%. Attach and number any explanatory reports or data:

Component	Concentration (%) (range)	Component	Concentration (%) (range)
Polyproplyene Glycol			
Chlorotrifloromethane			

4. Hazardous components of waste. List all known or suspected components of the waste or leachate of the waste which are listed in 6 MCAR § 4.9002 B.1.

Component	Concentration (ppm) (range)	Component	Concentration (ppm) (range)
Lead	12 ppm		
Mercury	0.09 ppm		

5. Hazardous properties. Check one or more of the following hazardous properties found for this waste. Complete and attach the Hazardous Waste Evaluation Data Form. Also attach and number explanatory reports or data describing why this hazardous waste does or does not exhibit these hazardous properties:

- [X] Toxic
- [ ] Irritative
- [ ] Petroleum Waste
- [ ] Other
- [ ] Corrosive
- [ ] Explosive
- [ ] Used Crankcase Oil
- [ ] Flammable
- [ ] Oxidative
- [ ] List 1 and/or 2 (6 MCAR § 4.9002)

6. Waste code (MPCA to complete): 9 B 9 R / 2

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12/79

C. Hazardous Waste Management Plan: 11/1/84 11/1/85

1. Hazardous waste management plan period: From ~~9/ /80~~ to ~~9/4/81~~.

2. Estimated amount of this waste to be produced during the management plan period (Item C.1. above): Unknown (gallons). This is an intermittent waste stream generated by contamination or incorrect formulation

3. Briefly describe how and where this waste will be stored prior to shipment and/or disposal or other ultimate disposition (attach and number additional sheets labeled Management Plan Item C.3. Continued): See attachment labeled "Management Plan Item C.3." for property layout which locates hazardous waste storage for non-flammable wastes.

1375 gal
6/12/81 - 2/25/82

4. What is the anticipated frequency of shipment of this waste:

_____ per (day, week, month, year) or other, specify As required

5. What is the anticipated quantity of each of the shipments of this waste:

_____ (gallons, tons, yards) or other, specify _____

6. Is this waste authorized to be comingled with any other wastes? ___ Yes X No

Generator Name	Establishment No.	Waste	Waste Code

7. Transporter to be used (name and MPCA registration number):

Name	Registration Number
~~Jones Chemicals, Inc~~	~~TR0005~~
WASTE RESEARCH & RECLAMATION	WID990829475

8. Disposer, treatment, storage, and/or recovery facility, and method or process to be used (name and MPCA permit number or state, if not Minnesota):

Name	State or Permit No.	Method/Process
~~Jones Chemicals, Inc.~~	~~IN4901-0000-11~~	~~Solidification/Incineration~~
~~Indiana~~		
ROLLINS ENVIRONMENTAL SERVICES (LA) INC	LAD010395127	INCINERATION

9. Special procedures and/or instruction. Attach and number a description of:

a. Equipment, labels, and procedures for safe handling of this waste;
b. Emergency procedures in case of a spill;
c. Additional information the generator deems important.

D. I certify that I am familiar with the information contained in this Management Plan, and that to the best of my knowledge and belief, such information is true, complete and accurate. Included with this Management Plan are ___ attachments, numbered ___ thru ___.

Signature of Applicant | ENV ENG Supv (Title) | 11/6/84 (Date)

STATE OF MINNESOTA
HAZARDOUS WASTE MANAGEMENT PLAN

14 Oct 83

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OCT 21 1983
MINN. POLLUTION CONTROL AGENCY

A. Complete a separate Management Plan Form (this form) for each hazardous waste or mixture containing a hazardous waste identified in Item D of the Hazardous Waste Disclosure Form.

B. Waste Identification and Evaluation:

1. Name of generator (from Items A.1. and A.2. of Disclosure Form):
Franklin Manufacturing Company

2. Inventory number, name, type of waste (from Item D of Disclosure Form):
D.2 Painting, Paint Solvent

3. Major constituents of waste. List all known components (whether hazardous or not) and approximate concentration of those greater than 1%. Attach and number any explanatory reports or data:

Component	Concentration (%) (range)	Component	Concentration (%) (range)
Paint	15%	Ether Ester	15%
Xylene	27%		
Toulene	11%		
Alphatic Ketone	27%		
Alphatic Alcohol	5%		

4. Hazardous components of waste. List all known or suspected components of the waste or leachate of the waste which are listed in 6 MCAR § 4.9002 B.1.

Component	Concentration (ppm) (range)	Component	Concentration (ppm) (range)
Cadmium	4.8 ppm	Nickel	24 ppm
Chromium	9.5 ppm		
Lead	90 ppm		
Mercury	<0.02 ppm		
Arsenic	0.98 ppm		

5. Hazardous properties. Check one or more of the following hazardous properties found for this waste. Complete and attach the Hazardous Waste Evaluation Data Form. Also attach and number explanatory reports or data describing why this hazardous waste does or does not exhibit these hazardous properties:

- [X] Toxic
- [X] Irritative
- [ ] Petroleum Waste
- [ ] Other
- [ ] Corrosive
- [ ] Explosive
- [ ] Used Crankcase Oil
- [X] Flammable
- [ ] Oxidative
- [ ] List 1 and/or 2 (6 MCAR § 4.9002)

6. Waste code (MPCA to complete):

PQ-00277-01 (612)297-2713
12/79

C. Hazardous Waste Management Plan:

1. Hazardous waste management plan period: From 11/1/83 to 11/1/84.

2. Estimated amount of this waste to be produced during the management plan period (Item C.1. above): 2,600 (gallons).

3. Briefly describe how and where this waste will be stored prior to shipment and/or disposal or other ultimate disposition (attach and number additional sheets labeled Management Plan Item C.3. Continued): See attachment labeled "Management Plan Item C.3." for the property layout which located the hazardous waste storage for flammable wastes.

4. What is the anticipated frequency of shipment of this waste:
4 per (day, week, month, (year) or other, specify _____

5. What is the anticipated quantity of each of the shipments of this waste:
650 (gallons, tons, yards) or other, specify _____

6. Is this waste authorized to be comingled with any other wastes? ___ Yes X No

Generator Name	Establishment No.	Waste	Waste Code

7. Transporter to be used (name and MPCA registration number):

Name	Registration Number
Waste Research & Reclamation	WID990829475

8. Disposer, treatment, storage, and/or recovery facility, and method or process to be used (name and MPCA permit number or state, if not Minnesota):

Name	State or Permit No.	Method/Process
Waste Research & Reclamation	WID990829475	Resource Recovery

9. Special procedures and/or instruction. Attach and number a description of:

a. Equipment, labels, and procedures for safe handling of this waste;
b. Emergency procedures in case of a spill;
c. Additional information the generator deems important.

D. I certify that I am familiar with the information contained in this Management Plan, and that to the best of my knowledge and belief, such information is true, complete and accurate. Included with this Management Plan are ___ attachments, numbered ___ thru ___.

Signature of Applicant	Title	Date
[signature]	Manufacturing Engineer	10/14/83

STATE OF MINNESOTA
EVALUATION DATA SHEET

1. Laboratory Name: Pace Laboratories, Inc. Telephone: 544-5543

Address: 1710 Douglas Drive North

Minneapolis, MN 55422

A. Report of Laboratory Analysis for (name of generator):

Franklin Manufacturing Company

Sample I.D.: D.9 Maintenance, Cleaning Solvent

Date Sampled: 10/14/83

Date Received: 10/15/83

B. Parameters Listed in 6MCAR §4.9002 B.1-2 of MPCA Hazardous Waste Rules.

Parameter	Result	Precision	Laboratory Method or Literature Source
Arsenic	< 0.07 ppm		
Cadmium	5.6 ppm		
Chromium	< 9.3 ppm		
Lead	56 ppm		
Mercury	< 0.07 ppm		
~~Nickel~~	~~9.3 ppm~~		

C. Sampling Location:

55 gallon drum

Sampling Procedure:

Mix well and draw sample with a pipette.

Sample Preservation Techniques: N/A

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12/79

D. Evaluation of Hazardous Properties

Property	Test	Result	Precision	Laboratory Method or Literature Source
1. Toxic	oral LD_{50} dermal LD_{50} inhalation LC_{50} aquatic LC_{50}			EPA Hazardous Waste Rule, Section 261.24 D006; D007; D008
2. Corrosive	rabbit pH steel coupons	5.5	I 0.1 Ph Unit	Ph Meter
3. Irritative	rabbit skin damage			See Material Safety Data Sheet
4. Flammable	flash point	110°F	I 10%	ASTM Method D-56 Closed Cup Tester
5. Explosive	---			Material Stable - See Material Safety Data Sheet
6. Oxidative	---			No Oxidizers Present in Accordance to 6 MCAR 4.9001B.28

E. Evaluation Submitted By: William A. O'Conner

Title: Laboratory Director

Date: November 29, 1982

STATE OF MINNESOTA
HAZARDOUS WASTE MANAGEMENT PLAN

14 Oct 83

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CONTROL

A. Complete a separate Management Plan Form (this form) for each hazardous waste or mixture containing a hazardous waste identified in Item D of the Hazardous Waste Disclosure Form.

B. Waste Identification and Evaluation:

1. Name of generator (from Items A.1. and A.2. of Disclosure Form):
   Franklin Manufacturing Company

2. Inventory number, name, type of waste (from Item D of Disclosure Form):
   D.9 Maintenance Cleaning Solvent

3. Major constituents of waste. List all known components (whether hazardous or not) and approximate concentration of those greater than 1%. Attach and number any explanatory reports or data:

Component	Concentration (%) (range)	Component	Concentration (%) (range)
Mineral Spirits	97%		
Alcohols	3%		

4. Hazardous components of waste. List all known or suspected components of the waste or leachate of the waste which are listed in 6 MCAR § 4.9002 B.1.

Component	Concentration (ppm) (range)	Component	Concentration (ppm) (range)
Cadmium	5.6 ppm	Mercury	∠0.07 ppm
Chromium	∠9.3 ppm		
Lead	56 ppm		
Nickel	9.3 ppm		
Arsenic	∠0.07 ppm		

5. Hazardous properties. Check one or more of the following hazardous properties found for this waste. Complete and attach the Hazardous Waste Evaluation Data Form. Also attach and number explanatory reports or data describing why this hazardous waste does or does not exhibit these hazardous properties:

- [X] Toxic
- [X] Irritative
- [X] Petroleum Waste
- [ ] Other
- [ ] Corrosive
- [ ] Explosive
- [ ] Used Crankcase Oil
- [X] Flammable
- [ ] Oxidative
- [ ] List 1 and/or 2 (6 MCAR § 4.9002)

6. Waste code (MPCA to complete):

PQ-00277-01 (612)297-2713
12/79

C. Hazardous Waste Management Plan:

1. Hazardous waste management plan period: From 11 / 1 / 83 to 11 / 1 / 84.

2. Estimated amount of this waste to be produced during the management plan period (Item C.1. above): 220 (gallons).

3. Briefly describe how and where this waste will be stored prior to shipment and/or disposal or other ultimate disposition (attach and number additional sheets labeled Management Plan Item C.3. Continued): See attachment labeled "Management Plan Item C.3." for the property layout which located the hazardous waste storage for non-flammable wastes

4. What is the anticipated frequency of shipment of this waste:
4 per (day, week, month, (year)) or other, specify _____

5. What is the anticipated quantity of each of the shipments of this waste:
55 (gallons, tons, yards) or other, specify _____

6. Is this waste authorized to be comingled with any other wastes? ___ Yes X No

Generator Name	Establishment No.	Waste	Waste Code

7. Transporter to be used (name and MPCA registration number):

Name	Registration Number
Waste Research & Reclamation	WID990829475

8. Disposer, treatment, storage, and/or recovery facility, and method or process to be used (name and MPCA permit number or state, if not Minnesota):

Name	State or Permit No.	Method/Process
Waste Research & Reclamation	WID990829475	Resource Recovery

9. Special procedures and/or instruction. Attach and number a description of:

a. Equipment, labels, and procedures for safe handling of this waste;
b. Emergency procedures in case of a spill;
c. Additional information the generator deems important.

D. I certify that I am familiar with the information contained in this Management Plan, and that to the best of my knowledge and belief, such information is true, complete and accurate. Included with this Management Plan are ___ attachments, numbered ___ thru ___.

Signature of Applicant | MANUFACTURING ENGINEER (Title) | 10/14/83 (Date)

STATE OF MINNESOTA
HAZARDOUS WASTE MANAGEMENT PLAN

14 Oct 83

A. Complete a separate Management Plan Form (this form) for each hazardous waste or mixture containing a hazardous waste identified in Item D of the Hazardous Waste Disclosure Form.

B. Waste Identification and Evaluation:

1. Name of generator (from Items A.1. and A.2. of Disclosure Form):
   Franklin Manufacturing Company

2. Inventory number, name, type of waste (from Item D of Disclosure Form):
   D.10 Urethane Foaming, Foam Flush

3. Major constituents of waste. List all known components (whether hazardous or not) and approximate concentration of those greater than 1%. Attach and number any explanatory reports or data:

Component	Concentration (%) (range)	Component	Concentration (%) (range)
Ethanol	42%		
Butanol	42%		
Methylene Chloride	1%		
Poly Urethane Foam	15%		

4. Hazardous components of waste. List all known or suspected components of the waste or leachate of the waste which are listed in 6 MCAR § 4.9002 B.1.

Component	Concentration (ppm) (range)	Component	Concentration (ppm) (range)
N/A			

5. Hazardous properties. Check one or more of the following hazardous properties found for this waste. Complete and attach the Hazardous Waste Evaluation Data Form. Also attach and number explanatory reports or data describing why this hazardous waste does or does not exhibit these hazardous properties:

- [X] Toxic
- [X] Irritative
- [ ] Petroleum Waste
- [ ] Other
- [ ] Corrosive
- [ ] Explosive
- [ ] Used Crankcase Oil
- [ ] Flammable
- [ ] Oxidative
- [ ] List 1 and/or 2 (6 MCAR § 4.9002)

6. Waste code (MPCA to complete): [ ][ ][ ][ ][ ][ ][ ][ ][ ][ ]

C. Hazardous Waste Management Plan:

1. Hazardous waste management plan period: From 11 / 1/83 to 11/ 1 / 84.

2. Estimated amount of this waste to be produced during the management plan period (Item C.1. above): 10,000 (gallons).

3. Briefly describe how and where this waste will be stored prior to shipment and/or disposal or other ultimate disposition (attach and number additional sheets labeled Management Plan Item C.3. Continued): See attachment labeled "Management Plan Item C.3." for property layout which located hazardous waste storage for non-flammable wastes.

4. What is the anticipated frequency of shipment of this waste:
4 per (day, week, month, (year) or other, specify _____

5. What is the anticipated quantity of each of the shipments of this waste:
2,500 (gallons, tons, yards) or other, specify _____

6. Is this waste authorized to be comingled with any other wastes? ___Yes X No

Generator Name	Establishment No.	Waste	Waste Code

7. Transporter to be used (name and MPCA registration number):

Name	Registration Number
Waste Research & Reclamation	WID990829475

8. Disposer, treatment, storage, and/or recovery facility, and method or process to be used (name and MPCA permit number or state, if not Minnesota):

Name	State or Permit No.	Method/Process
Waste Research & Reclamation	WID990829475	Resource Recovery

9. Special procedures and/or instruction. Attach and number a description of:

a. Equipment, labels, and procedures for safe handling of this waste;
b. Emergency procedures in case of a spill;
c. Additional information the generator deems important.

D. I certify that I am familiar with the information contained in this Management Plan, and that to the best of my knowledge and belief, such information is true, complete and accurate. Included with this Management Plan are ___ attachments, numbered ___ thru ___.

Signature of Applicant | Title: MANUFACTURING ENGINEER | Date: 10/14/83

STATE OF MINNESOTA
HAZARDOUS WASTE MANAGEMENT PLAN

14 Oct 83

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MINN. POLLUTION CONTROL AGENCY

A. Complete a separate Management Plan Form (this form) for each hazardous waste or mixture containing a hazardous waste identified in Item D of the Hazardous Waste Disclosure Form.

B. Waste Identification and Evaluation:

1. Name of generator (from Items A.1. and A.2. of Disclosure Form):
Franklin Manufacturing Company

2. Inventory number, name, type of waste (from Item D of Disclosure Form):
D.11 Urethane Foaming, Mold Stripper Solvent

3. Major constituents of waste. List all known components (whether hazardous or not) and approximate concentration of those greater than 1%. Attach and number any explanatory reports or data:

Component	Concentration (%) (range)	Component	Concentration (%) (range)
Poly Urethane Foam	12%	Toluene	3.6%
Methylene Chloride	23%	Xylene	3.9%
1,1,1 Trichloroethane	7.6%		
Propanol	34%		
Trichloroethylene	9.2%		

4. Hazardous components of waste. List all known or suspected components of the waste or leachate of the waste which are listed in 6 MCAR § 4.9002 B.1.

Component	Concentration (ppm) (range)	Component	Concentration (ppm) (range)
Arsenic	0.22 ppm	Nickel	8 ppm
Cadmium	5 ppm		
Chromium	35 ppm		
Lead	<5 ppm		
Mercury	.05 ppm		

5. Hazardous properties. Check one or more of the following hazardous properties found for this waste. Complete and attach the Hazardous Waste Evaluation Data Form. Also attach and number explanatory reports or data describing why this hazardous waste does or does not exhibit these hazardous properties:

- [X] Toxic
- [X] Irritative
- [ ] Petroleum Waste
- [ ] Other
- [X] Corrosive
- [ ] Explosive
- [ ] Used Crankcase Oil
- [ ] Flammable
- [ ] Oxidative
- [ ] List 1 and/or 2 (6 MCAR § 4.9002)

6. Waste code (MPCA to complete):

PQ-00277-01 (612)297-2713
12/79

C. Hazardous Waste Management Plan:

1. Hazardous waste management plan period: From 11 / 1 / 83 to 11 / 1 / 84.

2. Estimated amount of this waste to be produced during the management plan period (Item C.1. above): 220 (gallons).

3. Briefly describe how and where this waste will be stored prior to shipment and/or disposal or other ultimate disposition (attach and number additional sheets labeled Management Plan Item C.3. Continued): See attachment labeled "Management Plan Item C.3." for property layout which located hazardous waste storage for non-flammable wastes.

4. What is the anticipated frequency of shipment of this waste:
4 per (day, week, month, (year)) or other, specify _____

5. What is the anticipated quantity of each of the shipments of this waste:
55 ((gallons), tons, yards) or other, specify _____

6. Is this waste authorized to be comingled with any other wastes? ___Yes X No

Generator Name	Establishment No.	Waste	Waste Code

7. Transporter to be used (name and MPCA registration number):

Name	Registration Number
Waste Research & Reclamation	WID990829475

8. Disposer, treatment, storage, and/or recovery facility, and method or process to be used (name and MPCA permit number or state, if not Minnesota):

Name	State or Permit No.	Method/Process
Waste Research & Reclamation	WID990829475	Resource Recovery

9. Special procedures and/or instruction. Attach and number a description of:

a. Equipment, labels, and procedures for safe handling of this waste;
b. Emergency procedures in case of a spill;
c. Additional information the generator deems important.

D. I certify that I am familiar with the information contained in this Management Plan, and that to the best of my knowledge and belief, such information is true, complete and accurate. Included with this Management Plan are ___ attachments, numbered ___ thru ___.

[signature] Manufacturing Engineer 10/14/83

Signature of Applicant | Title | Date

STATE OF MINNESOTA
HAZARDOUS WASTE MANAGEMENT PLAN

14 Oct 83

A. Complete a separate Management Plan Form (this form) for each hazardous waste or mixture containing a hazardous waste identified in Item D of the Hazardous Waste Disclosure Form.

B. Waste Identification and Evaluation:

1. Name of generator (from Items A.1. and A.2. of Disclosure Form):
   Franklin Manufacturing Company

2. Inventory number, name, type of waste (from Item D of Disclosure Form):
   D.17 Urethane Foaming, Mold Stripper Solids

3. Major constituents of waste. List all known components (whether hazardous or not) and approximate concentration of those greater than 1%. Attach and number any explanatory reports or data:

Component	Concentration (%) (range)	Component	Concentration (%) (range)
Poly Urethane Foam	85%		
Hydrated Aluminum Silicate	15%		

4. Hazardous components of waste. List all known or suspected components of the waste or leachate of the waste which are listed in 6 MCAR § 4.9002 B.1.

Component	Concentration (ppm) (range)	Component	Concentration (ppm) (range)

5. Hazardous properties. Check one or more of the following hazardous properties found for this waste. Complete and attach the Hazardous Waste Evaluation Data Form. Also attach and number explanatory reports or data describing why this hazardous waste does or does not exhibit these hazardous properties:

- [X] Toxic
- [X] Irritative
- [ ] Petroleum Waste
- [ ] Other
- [X] Corrosive
- [ ] Explosive
- [ ] Used Crankcase Oil
- [ ] Flammable
- [ ] Oxidative
- [ ] List 1 and/or 2 (6 MCAR § 4.9002)

6. Waste code (MPCA to complete):

PQ-00277-01 (612)297-2713
12/79

C. Hazardous Waste Manag. ent Plan:

1. Hazardous waste management plan period: From 11/ 1/ 83 to 11/ 1/ 84.

2. Estimated amount of this waste to be produced during the management plan period (Item C.1. above): 220 (gallons).

3. Briefly describe how and where this waste will be stored prior to shipment and/or disposal or other ultimate disposition (attach and number additional sheets labeled Management Plan Item C.3. Continued): See attachment labeled "Management Plan Item C.3." for property layout which located hazardous waste storage for non-flammable wastes.

4. What is the anticipated frequency of shipment of this waste:
4 per (day, week, month, (year) or other, specify _____

5. What is the anticipated quantity of each of the shipments of this waste:
55 (gallons, tons, yards) or other, specify _____

6. Is this waste authorized to be comingled with any other wastes? ___Yes _X_ No

Generator Name	Establishment No.	Waste	Waste Code

7. Transporter to be used (name and MPCA registration number):

Name	Registration Number

8. Disposer, treatment, storage, and/or recovery facility, and method or process to be used (name and MPCA permit number or state, if not Minnesota):

Name	State or Permit No.	Method/Process

9. Special procedures and/or instruction. Attach and number a description of:

a. Equipment, labels, and procedures for safe handling of this waste;
b. Emergency procedures in case of a spill;
c. Additional information the generator deems important.

D. I certify that I am familiar with the information contained in this Management Plan, and that to the best of my knowledge and belief, such information is true, complete and accurate. Included with this Management Plan are ___ attachments, numbered ___ thru ___.

[signature] MANUFACTURING ENGINEER 10/14/83

Signature of Applicant | Title | Date

STATE OF MINNESOTA
HAZARDOUS WASTE MANAGEMENT PLAN

145-000446

A. Complete a separate Management Plan Form (this form) for each hazardous waste or mixture containing a hazardous waste identified in Item D of the Hazardous Waste Disclosure Form.

B. Waste Identification and Evaluation:

1. Name of generator (from Items A.1. and A.2. of Disclosure Form):
   Franklin Manufacturing Company

2. Inventory number, name, type of waste (from Item D of Disclosure Form):
   D.14. - Bonderite, Parcolene 60

3. Major constituents of waste. List all known components (whether hazardous or not) and approximate concentration of those greater than 1%. Attach and number any explanatory reports or data:

Component	Concentration (%) (range)	Component	Concentration (%) (range)
Water	99%		
Miscellaneous	1%		

4. Hazardous components of waste. List all known or suspected components of the waste or leachate of the waste which are listed in 6 MCAR § 4.9002 B.1.

Component	Concentration (ppm) (range)	Component	Concentration (ppm) (range)
Hexavalent Chromium	340 ppm		

5. Hazardous properties. Check one or more of the following hazardous properties found for this waste. Complete and attach the Hazardous Waste Evaluation Data Form. Also attach and number explanatory reports or data describing why this hazardous waste does or does not exhibit these hazardous properties:

- [ ] Toxic
- [ ] Irritative
- [ ] Petroleum Waste
- [ ] Other
- [ ] Corrosive
- [ ] Explosive
- [ ] Used Crankcase Oil
- [ ] Flammable
- [ ] Oxidative
- [X] List 1 and/or 2 (6 MCAR § 4.9002)

6. Waste code (MPCA to complete): | 1 | C | X | X | 3 | / | | | | |

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12/79

C. Hazardous Waste Management Plan:

1. Hazardous waste management plan period: From 9/4/80 to 9/4/81.

2. Estimated amount of this waste to be produced during the management plan period (Item C.1. above): 86,000 (gallons).

3. Briefly describe how and where this waste will be stored prior to shipment and/or disposal or other ultimate disposition (attach and number additional sheets labeled Management Plan Item C.3. Continued): Solution is stored in a 1650 gallon process tank.

4. What is the anticipated frequency of shipment of this waste:
1 per (day, (week), month, year) or other, specify _____

5. What is the anticipated quantity of each of the shipments of this waste:
1650 (gallons, tons, yards) or other, specify _____

6. Is this waste authorized to be comingled with any other wastes? ___Yes ___No

Generator Name	Establishment No.	Waste	Waste Code

7. Transporter to be used (name and MPCA registration number):

Name	Registration Number
Municipal Sewer System	

8. Disposer, treatment, storage, and/or recovery facility, and method or process to be used (name and MPCA permit number or state, if not Minnesota):

Name	State or Permit No.	Method/Process
St. Cloud Wastewater		Based on 75,000 gpd discharged
Treatment Plant		chromium is diluted to approximately
		7.5 ppm. City ordinance for chromium is 10 ppm. See lab report attaced to

9. Special procedures and/or instruction. Attach and number a description of: Parco Cleaner

a. Equipment, labels, and procedures for safe handling of this waste;
b. Emergency procedures in case of a spill;
c. Additional information the generator deems important.

D. I certify that I am familiar with the information contained in this Management Plan, and that to the best of my knowledge and belief, such information is true, complete and accurate. Included with this Management Plan are 1 attachments, numbered ___ thru ___.

Warren L Kruse — Signature of Applicant

Vice Pres — Title

Sept. 24, 1980 — Date

STATE OF MINNESOTA
EVALUATION DATA SHEET

1. Laboratory Name: PACE Laboratories, Inc. Telephone: 824-2675

Address: 3121 Nicollet Avenue

Minneapolis, Minnesota 55108

A. Report of Laboratory Analysis for (name of generator):

Franklin Manufacturing Company

Sample I.D.: Bonderite, Parcolene 60

Date Sampled: 7-25-80

Date Received: 7-25-80

B. Parameters Listed in 6MCAR §4.9002 B.1-2 of MPCA Hazardous Waste Rules.

Parameter	Result	Precision	Laboratory Method or Literature Source
Hexavalent Chromium	340 ppm	± 10%	Atomic Absorption

C. Sampling Location: Parcolene 60 tank

Sampling Procedure: Grab sample

Sample Preservation Techniques: Cool to 4^{o} C.

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D. Evaluation of Hazardous Properties

Property	Test	Result	Precision	Laboratory Method or Literature Source
1. Toxic	oral LD_{50} dermal LD_{50} inhalation LC_{50} aquatic LC_{50}	NA		
2. Corrosive	rabbit pH steel coupons	NA		
3. Irritative	rabbit skin damage	NA		
4. Flammable	flash point	NA		
5. Explosive	---	NA		
6. Oxidative	---	NA		

E. Evaluation Submitted By: William A. O'Connor

Title: Laboratory Director

Date: September 5, 1980

STATE IDENTIFICATION NUMBER
(If Applicable)

MND092304856
EPA IDENTIFICATION NUMBER

RCRA INSPECTION REPORT - INTERIM STATUS STANDARDS
TREATMENT, STORAGE, AND DISPOSAL FACILITIES
Form A - General Facility Standards

I. General Information:

(A) Facility Name: Franklin Manufacturing

(B) Street: 701 33rd Ave. N.

(C) City: St. Cloud (D) State: MN. (E) Zip Code: 56301

(F) Phone: 612-253-1212 (G) County: Stearns

(H) Operator: Warren Hull, Vice President Manufacturing

(I) Street: 701 33rd Ave N.

(J) City: St. Cloud (K) State: MN. (L) Zip Code 56301

(M) Phone: 612-253-1212 (N) County: Stearns

(O) Owner: White Consolidated Industries

(P) Street: 11770 Berea Road

(Q) City: Clevelaud (R) State: Ohio (S) Zip Code: 44111

(T) Phone: (216)-252-3700 (U) County: Cuyahoga

(V) Date of Inspection: 1-27-82 (W) Time of Inspection (From) 1:30 (To) 3:30

(X) Weather Conditions: Sunny + 25° F

(Y) Person(s) Interviewed	Title	Telephone
Mr. Richard Kluite	MFG. Engineer	612-253-1212

(Z) Inspection Participants	Agency/Title	Telephone
Mike Tibbetts	M.P.C.A / PCS, Intr.	612-297-3359
B. Scott Lupin	M.P.C.A / PCS, Intr.	612-297-3364

(AA) Preparer Information

Name	Agency/Title	Telephone
Mike Tibbetts	MPCA/ PCS, Intr.	612-297-3359

II. SITE ACTIVITY:

Complete sections I through VII for all treatment, storage, and/or disposal facilities. Complete the forms (in parenthesis) in section VIII corresponding to the site activities identified below:

X A. Storage and/or Treatment (on-site off site disposal)
   (1) Containers (I)
   2. Tanks (J)
   3. Surface Impoundments (K)
   4. Waste Piles (L)

___ B. Land Treatment (M)

___ C. Landfills (N)

___ D. Incineration and/or Thermal Treatment (O and P)

___ E. Chemical, Physical, and Biological Treatment (Q)

Note: If facility is also a generator or transporter of hazardous waste complete sections IX and X of this form as appropriate.

Generator also

I. GENERAL FACILITY STANDARDS
(Part 265 Subpart B)

	Yes	No	NI*	Remark
(A) Has the Regional Administrator been notified regarding:				
1. Receipt of hazardous waste from a foreign source?	—	X	—	does not receive hazardos waste from foreign sources
2. Facility expansion?	—	X	—	No planned facility expansion
(B) General Waste Analysis:				
1. Has the owner or operator obtained a detailed chemical and physical analysis of the waste?	X	—	—	
2. Does the owner or operator have a detailed waste analysis plan on file at the facility?	X	—	—	
3. Does the waste analysis plan specify procedures for inspection and analysis of each movement of hazardous waste from off-site?	X	—	—	
(C) Security - Do security measures include: (if applicable)				
1. 24-Hour surveillance?	X	—	—	
2. Artificial or natural barrier around facility?	X	—	—	
3. Controlled entry?	X	—	—	
4. Danger sign(s) at entrance?	—	—	—	
(D) Do Owner or Operator Inspections Include:				
1. Records of malfunctions?	X	—	—	
2. Records of operator error?	X	—	—	
3. Records of discharges?	X	—	—	

*Not Inspected

	Yes	No	NI*	Remarks
4. Inspection schedule?	X			
5. Safety, emergency equipment?	X			
6. Security devices?	X			
7. Operating and structural devices?	X			
8. Inspection log?	X			
(E) Do personnel training records include:				
1. Job titles?		X		No documented job titles
2. Job descriptions?		X		No documented job description
3. Description of training?		X		No documented description of training
4. Records of training?				
5. Have facility personnel received required training by 5-19-81?	X			
6. Do new personnel receive required training within six months?	X			
(F) If required are the following special requirements for ignitable, reactive, or incompatible wastes addressed?				
1. Special handling?	X			
2. No smoking signs?	X			
3. Separation and protection from ignition sources?	X			Ignitable wastes stored in seperate area.

*Not Inspected

IV. PREPAREDNESS AND PREVENTION:
(Part 265 Subpart C)

	Yes	No	NI*	Remarks
(A) Maintenance and Operation of Facility:				
Is there any evidence of fire, explosion, or release of hazardous waste or hazardous waste constituent?	—	X	—	no evidence of fire, explosion or release of hazardous waste or its constituent.
(B) If required, does the facility have the following equipment:				
1. Internal communications or alarm systems?	X	—	—	
2. Telephone or 2-way radios at the scene of operations?	X	—	—	
3. Portable fire extinguishers, fire control, spill control equipment and decontamination equipment?	X	—	—	

Indicate the volume of water and/or foam available for fire control:

Sprinkler System / City Water

(C) Testing and Maintenance of Emergency Equipment:				
1. Has the owner or operator established testing and maintenance procedures for emergency equipment?	X	—	—	
2. Is emergency equipment maintained in operable conditions?	X	—	—	
(D) Has owner or operator provided immediate access to internal alarms? (if needed)	X	—	—	

*Not Inspected

(E) Is there adequate aisle space for unobstructed movement? X

V. CONTINGENCY PLAN AND EMERGENCY PROCEDURES: (Part 265 Subpart D)

(A) Does the Contingency Plan contain the following information:	Yes	No	NI*	Remarks
1. The actions facility personnel must take to comply with §265.51 and 265.56 in response to fires, explosions, or any unplanned release of hazardous waste? (If the owner has a Spill Prevention, Control, and Countermeasures (SPCC) Plan, he needs only to amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of this Part (as applicable.)	X			
2. Arrangements agreed by local police departments, fire departments hospitals, contractors, and State and local emergency response teams to coordinate emergency services pursuant to §265.37?	X			
3. Names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinators?	X			
4. A list of all emergency equipment at the facility which includes the location and physical description of each item on the list and a brief outline of its capabilities?	X			
5. An evacuation plan for facility personnel where there is a possibility that evacuation could be necessary? (This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes?)	X			

*Not Inspected

V. CONTINGENCY PLAN AND EMERGENCY PROCEDURES - Continued

	Yes	No	NI*	Remarks
(B) Are copies of the Contingency Plan available at site and local emergency organizations?		X		Contingency plan not given to local emergency organizations.
(C) Emergency Coordinator				
1. Is the facility Emergency Coordinator identified?	X			
2. Is coordinator familiar with all aspects of site operation and emergency procedures?	X			
3. Does the Emergency Coordinator have the authority to carry out the Contingency Plan?	X			
(D) Emergency Procedures				
If an emergency situation has occurred at this facility, has the Emergency Coordinator followed the emergency procedures listed in 265.56?		X		No emergency situations have occured

VI. MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING
(Part 265 Subpart E)

	Yes	No	NI*	Remarks
(A) Use of Manifest System				
1. Does the facility follow the procedures listed in §265.71 for processing each manifest?			X	OFF site facility
2. Are records of past shipments retained for 3 years?			X	
(B) Does the owner or operator meet requirements regarding manifest discrepancies?			X	

*Not Inspected

I. RECORDKEEPING - Continued

(C) Operating Record

1. Does the owner or operator maintain an operating record as required in 265.73?		X		no operating record
2. Does the operating record contain the following information:				
**b. The method(s) and date(s) of each waste's treatment, storage, or disposal as required in Appendix I?		X		does not meet this requirement
c. The location and quantity of each hazardous waste within the facility?		X		does not meet this requirement
***d. A map or diagram of each cell or disposal area showing the location and quantity of each hazardous waste? (This information should be cross-referenced to specific manifest number, if waste was accompanied by a manifest.)			X	NA
e. Records and results of all waste analyses, trial tests, monitoring data, and operator inspections?	X			
f. Reports detailing all incidents that required implementation of the Contingency Plan?		X		Contingency Plan not yet implemented
g. All closure and post closure costs as applicable? (Effective 5-19-81)		X		no closure cost estimates

** See page 33252 of the May 19, 1980, Federal Register.

*** Only applies to disposal facilities

*Not Inspected

VII. CLOSURE AND POST CLOSURE
(Part 265 Subpart G)

	Yes	No	NI*	Remarks
(A) Closure and Post-Closure				
1. Is the facility [redacted]t-closure plan available for inspection by May 19, 1981?	—	X	—	No closure plan
2. Has this plan been submitted to the Regional Administrator?	—	X	—	Not required
3. Has [redacted]t-closure begun?	—	X	—	Closure has not begun
4. Is the written [redacted]-closure cost estimate available by May 19, 1981?	—	X	—	No closure cost estimates
(B) Post-closure care and use of property				
1. Is the facility post-closure plan available for inspection by May 19, 1981?	—	—	X	NA
2. Has this plan been submitted to the Regional Administrator?	—	—	X	
3. Has post-closure begun?	—	—	X	
4. Is the written post-closure cost estimate available by May 19, 1981?	—	—	X	

VIII. FACILITY STANDARDS
(Part 265, Subparts I thru R)

I
USE AND MANAGEMENT OF CONTAINERS

Facility Name: Franklin Manufacturing Date of Inspection: 1-27-82

	Yes	No	NI*	Remarks
1. Are containers in good condition:	X	—	—	
2. Are containers compatible with waste in them?	X	—	—	
4. Are containers managed to prevent leaks?	X	—	—	
5. Are containers inspected weekly for leaks and defects?	X	—	—	
6. Are ignitable and reactive wastes stored at least 15 meters (50 feet) from the facility property line?				
(Indicate if waste is igitable or reactive.)	X	—	—	Ignitable Waste

	Yes	No	NI*	Remarks
7. Are incompatible wastes stored in separate containers? (If not, the provisions of 40 CFR 265.17(b) apply.)	—	—	X	NA
8. Are containers of incompatible waste separated or protected from each other by physical barriers or sufficient distance?	—	—	X	NA

J
TANKS

Facility Name: _____ Date of Inspection: _____

1. Are tanks used to store only those wastes which will not cause corrosion, leakage or premature failure of the tank?	—	—	—	
2. Do uncovered tanks have at least 60 cm (2 feet) of freeboard, or dikes or other containment structures?	—	—	—	
3. Do continuous feed systems have a waste-feed cutoff?	—	—	—	
4. Are waste analyses done before the tanks are used to store a substantially different waste than before?	—	—	—	
5. Are required daily and weekly inspections done?	—	—	—	
6. Are reactive & ignitable wastes in tanks protected or rendered non-reactive or non-ignitable? Indicate if waste is ignitable or reactive. (If waste is rendered non-reactive or non-ignitable, see treatment requirements.)	—	—	—	
7. Are incompatible wastes stored in separate tanks? (If not, the provisions of 40 CFR 265.17(b) apply.)	—	—	—	

*Not Inspected

	Yes	No	NI*	Remarks

8. Has the owner or operator observed the National Fire Protection Association's buffer zone requirements for tanks containing ignitable or reactive wastes?

   Tank capacity: _____ gallons

   Tank diameter: _____ feet

   Distance of tank from property line _____ feet

   (See table 2 - 1 through 2 - 6 of NFPA's "Flammable and Combustible Liquids Code - 1977" to determine compliance.)

K
SURFACE IMPOUNDMENTS

Facility Name: _____ Date of Inspection: _____

		Yes	No	NI*	Remarks
1.	Do surface impoundments have at least 60 cm (2 feet) of freeboard?				
2.	Do earthen dikes have protective covers?				
3.	Are waste analyses done when the impoundment is used to store a substantially different waste than before?				
4.	Is the freeboard level inspected at least daily?				
5.	Are the dikes inspected weekly for evidence of leaks or deterioration?				
6.	Are reactive & ignitable wastes rendered non-reactive or non-ignitable before storage in a surface impoundment? (If waste is rendered non-reactive or non-ignitable, see treatment requirements.)				
7.	Are incompatible wastes stored in different impoundments? (If not, the provisions of 40 CFR 265.17(b) apply.)				

L

WASTE PILES

Facility Name: _____ Date of Inspection: _____

	Yes	No	NI*	Remarks
1. Are waste piles covered or protected from dispersal by wind?	___	___	___	_____
2. Is each in-coming movement of waste analyzed before being added to the waste pile?	___	___	___	_____
3. Are leachate, run-off, and run-on controlled as per the requirements of 265.258? (The effective date of this provision is Nov. 19, 1981.)	___	___	___	_____
4. Are reactive & ignitable wastes rendered non-reactive or non-ignitable before storage in a pile? Indicate if waste is ignitable or reactive. (If waste is rendered non-reactive or non-ignitable, see treatment requirements.)	___	___	___	_____
5. Are piles of reactive or ignitable waste protected from materials or conditions that might cause them to ignite or react?	___	___	___	_____
6. Are incompatible wastes stored in different piles? (If not, the provisions of 40 CFR 265.17(b) apply.)	___	___	___	_____
7. Are piles of imcompatible waste protected by barriers or distance from other waste?	___	___	___	_____

*Not Inspected

M

LAND TREATMENT

Facility Name: _____ Date of Inspection: _____

1.	Is treated hazardous waste capable of biological or chemical degradation?	___	___	___
2.	Are run-off and run-on diverted from the facility or collected? (Effective date: November 19, 1981)?	___	___	___
3.	Is waste analyzed according to 265.273?	___	___	___
4.	If food chain crops are grown at the facility, has the owner or operator addressed the requirements of 265.276?	___	___	___
5.	Is an unsaturated zone monitoring plan designed and implemented to detect the vertical migration of hazardous waste and provide information on the background concentrations of the hazardous waste available?	___	___	___
6.	Does the unsaturated zone monitoring plan address the minimum information specified in 265.278?	___	___	___
7.	Are records kept regarding application dates and rates, quantities, and locations, of all hazardous waste placed in the facility?	___	___	___
8.	Are the special requirements fulfilled regarding land treatment of ignitable or reactive wastes? (Indicate if waste is ignitable or reactive.)	___	___	___
9.	Are incompatible wastes land treated? (If yes, 265.17(b) applies)	___	___	___

N
LANDFILLS

Facility Name: _____ Date of Inspection: _____

	Yes	No	NI*	Remarks
(A) General Operating Requirements Does the facility provide the following:				
**1. Diversion of run-on away from active portions of the fill?	___	___	___	_____
**2. Collection of run-off from active portions of the fill?	___	___	___	_____
**3. Is collected run off treated?	___	___	___	_____
4. Control of wind dispersal of hazardous waste?	___	___	___	_____
(**Effective 11-19-81)				
(B) Surveying and Recordkeeping Does the Operating Record Include:				
1. A map showing the exact location and dimensions of each cell?	___	___	___	_____
2. The contents of each cell and the location of each hazardous waste type withing each cell?	___	___	___	_____
(C) Closure and Post-Closure				
1. Is the Closure Plan available for inspection by 5-19-81?	___	___	___	_____
2. Has this plan been submitted to the Regional Administrator?	___	___	___	_____
3. Has closure begun?	___	___	___	_____
4. Is closure cost estimate available by 5-19-81?	___	___	___	_____
(D) Special requirements for ignitable or reactive waste				
Are ignitable or reactive waste treated so the resulting mixture is no longer ignitable or reactive?	___	___	___	_____

	Yes	No	NI*	Remarks
(If waste is rendered non-reactive or non-ignitable see treatment requirements)				
If not, the provisions of 40 CFR 265.17(b) apply.	___	___	___	_____
(E) Special Requirements for Incompatible Wastes.				
Does the owner or operator dispose of incompatible wastes in separate cells?	___	___	___	_____
If not, the provisions of 40 CFR 265.17(b) apply.	___	___	___	_____
(F) Special requirements for liquid waste (effective 11-19-81)				
1. Are bulk or non-containerized liquids placed in the landfill?	___	___	___	_____
2. Does the landfill have a chemically and physically resistant liner system?	___	___	___	_____
3. Does the landfill have a functional leachate collection system?	___	___	___	_____
4. Are free liquids stabilized prior to or immediately after placement in the landfill?	___	___	___	_____
(G) Special requirements for Containers (effective 11-19-81)				
Are empty containers crushed flat, shredded, or similarly reduced in volume before being buried beneath the surface of the landfill?	___	___	___	_____

*Not Inspected

O and P
INCINERATION and THERMAL TREATMENT

(A) Facility Name: _____

(B) Date of Inspection: _____

I. Determination of Steady State

A. Type of unit (i.e., type of incinerator or thermal treatment): _____

_____

B. Components and steady state condition:

	Component	**** Was this component at SS prior to adding waste? Yes	No	NI*	Remarks
1.	_____	___	___	___	_____
2.	_____	___	___	___	_____
3.	_____	___	___	___	_____
4.	_____	___	___	___	_____
5.	_____	___	___	___	_____

II. Waste Analysis

A. Minimum requirements, for wastes not previously burned/treated.

	1. Required analyses; has an analysis been performed for the following?	Yes	No	NI*	Remarks
	a. Heating value	___	___	___	_____
	b. Halogen content	___	___	___	_____
	c. Sulfur content	___	___	___	_____

*Not Inspected

	Yes	No	NI*	Remarks
2. Has documented or written data been substituted for analysis of either:				
a. Lead?	___	___	___	_____
b. Mercury?	___	___	___	_____

B. List other parameters for which the waste is tested to enable owner or operator to establish steady state or determine the types of pollutants which may be emitted. (Note in Remarks any which you feel should be tested.)

		Remarks
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

III. Monitoring and Inspections

	Yes	No	NI*	Remarks
A. Are combustion/emission control instruments monitored at least every 15 minutes?	___	___	___	_____
B. Is steady state maintained or corrections attempted?	___	___	___	_____
C. Is stack plume observed at least hourly for normal color and opacity?	___	___	___	_____
D. Did any stack observations made by owner or operator show a plume different than normal?**	___	___	___	_____
E. If yes to D above, were corrections made to return emissions to normal appearance?**	___	___	___	_____
F. Are the complete unit and associated equipment inspected daily for leaks, spills, and fugitive emissions?	___	___	___	_____
G. Are emergency shutdown controls and system alarms checked daily for proper operation?	___	___	___	_____

*Not Inspected
**Specify in Remarks for what period of time this was checked.

IV. Open Burning

A. Only complete this part if the facility open burns hazardous waste.

	Yes	No	NI*	Remarks
1. Does this facility burn only waste explosives? (A No answer means other hazardous waste is open-burned.)	___	___	___	_____
2. If this facility open-burns waste explosives, does it burn the waste at a distance greater than or equal to the minimum specified distance (below)	___	___	___	_____

Pounds of waste explosives or propellants	Minimum distance from open burning or detonation to the property of others	
0 to 100.....	204 m	670 ft
101 to 1,000.....	380 m	1,250 ft
1,001 to 10,000.....	530 m	1,730 ft
10,0001 to 30,000.....	690 m	2,260 ft

Q

CHEMICAL, PHYSICAL and BIOLOGICAL TREATMENT

Facility Name: _____

Date of Inspection: _____

	Yes	No	NI*	Remarks
1. Is equipment used to treat only those wastes which will not cause leakage, corrosion, or premature failure?	___	___	___	_____
2. Is a continuously fed system equipped with a means of hazardous waste inflow stoppage or control (e.g., cut-off system?)	___	___	___	_____

*Not Inspected

	Yes	No	NI*	Remarks
3. Has the owner or operator addressed the waste analysis requirements of 265.402?	—	—	—	
4. Are inspection procedures followed according to 265.403?	—	—	—	
5. Are the special requirements fulfilled for ignitable or reactive wastes?	—	—	—	
6. Are incompatible wastes treated? (If yes, 265.17(b) applies.)	—	—	—	

Note: EPA has temporarily suspended the applicability of the requirements of the hazardous waste regulations in 40 CFR Parts 122, 264 and 265 to owners and operators of (1) wastewater treatment tanks that receive, store, and treat wastewaters that are hazardous waste or that generate, store or treat a wastewater treatment sludge which is a hazardous waste where such wastewaters are subject to regulation under Sections 402 or 307(b) of the Clean Water Act (33 U.S.C. 1251 et seq.) and (2) neutralization tanks, transport vehicles, vessels, or containers which neutralize wastes which are hazardous only because they exhibit the corrosivity characteristic under 40 CFR §261.22, or are listed as hazardous wastes in Subpart D of 40 CFR Part 261 only for this reason.

IX

Complete this section if the owner or operator of a TSD facility also generates hazardous waste that is subsequently shipped off-site for treatment, storage, or disposal.

1. MANIFEST REQUIREMENTS

	Yes	No	NI*	Remarks
(A) Does the operator have copies of the manifest available for review?	X	—	—	
(B) Do the manifest forms reviewed contain the following information: (If possible, make copies of, or record information from, manifest(s) that do not contain the critical elements)				
1. Manifest document number?	X	—	—	
2. Name, mailing address, telephone number, and EPA ID Number of Generator	X	—	—	

	Yes	No	NI*	Remarks
3. Name and EPA ID Number of Transporter(s)?	X			
4. Name, address, and EPA ID Number of Designated permitted facility and alternate facility?	X			
5. The description of the waste(s) (DOT shipping name, DOT hazard class, DOT identification number)?	X			
6. The total quantity of waste(s) and the type and number of containers loaded?	X			
7. Required certification?	X			
8. Required signatures?	X			
(C) Does the owner or operator submit exception reports when needed?	X			Owner is aware of this requirement

2. PRE-TRANSPORT REQUIREMENTS

(A) Is waste packaged in accordance with DOT Regulations? (Required prior to movement of hazardous waste off-site)	X			
(B) Are waste packages marked and labeled in accordance with DOT regulations concerning hazardous waste materials? (Required to movement of hazardous waste off-site)	X			
(C) If required, are placards available to transporters of hazardous waste?	X			

Omit Section 3 if the facility has interim status and its Part A permit application describes storage

3. On Site Accumulation

	Yes	No	NI*	Remarks
1. Are containers marked with start of accumulation date?			X	NA
2. Are the containers of hazardous waste removed from installation before they can accumulate for more than 90 days?			X	
3. Are wastes stored in containers managed in accordance with 40 CFR Part 265.174 and 265.176 (weekly inspections of containers, containers holding ignitable or reactive wastes located at least 15 meters (50 Feet) from facility's property line?			X	
4. If wastes are stored in tanks, are the tanks managed according to the following requirements?				
a. Are tanks used to store only those wastes which will not cause corrosion leakage or premature failure of the tank?			X	
b. Do uncovered tanks have at least 60 cm (2 feet) of freeboard, dikes, or other containment structures?			X	
c. Do continuous feed systems have a waste-feed cutoff?			X	
d. Are required daily and weekly inspections done?			X	
e. Are reactive & ignitable wastes in tanks protected or rendered non-reactive or non-ignitable? (If waste is rendered non-reactive or non-ignitable, see treatment requirements?			X	
f. Are incompatible wastes stored in separate tanks? (If not, the provisions of 40 CFR §265.17(b) apply)			X	

*Not Inspected

VI. RECORDKEEPING and REPORTING
(Part 262, Subpart D)

	Yes	No	NI*	Remarks
(A) Are Manifests, Annual Reports, Exception Reports, and all test results and analyses retained for at least three years?	___	___	X	NA
(B) Has the generator submitted Annual Reports and Exception Reports as required?	___	___	X	___

VII. INTERNATIONAL SHIPMENTS
(Part 262, Subpart E)

Has the installation imported or exported Hazardous Waste?	___	___	X	___

(If answered Yes, complete the following as applicable.)

1. Exporting Hazardous waste, has a generator:				
a. Notified the Administrator in writing?	___	___	X	___
b. Obtained the signature of the foreign consignee confirming delivery of the waste(s) in the foreign country?	___	___	X	___
c. Met the Manifest requirements?	___	___	X	___
2. Importing Hazardous Waste, has the generator:				
Met the manifest requirements?	___	___	X	___

*Not Inspected

X

TRANSPORTER REQUIREMENTS
40 CFR Part 263

Complete this Section if the owner or operator transports hazardous waste.

I. MANIFEST SYSTEM AND RECORDKEEPING
(Subpart B)

	Yes	No	NI*	Remarks
Are copies of the completed manifests or shipping paper(s) available for review and retained for three years?	X			

II. INTERNATIOINAL SHIPMENTS

A. Does the transporter record on the manifest the date the waste left the U.S.?		X		NA - NO International shipments
B. Are signed completed manifest(s) on file?				

V. MISCELLANEOUS

A. Does transporter transport hazardous waste into the U.S. from abroad?		X		
B. Does the transporter mix hazardous waste of different DOT shipping descriptions by placing them into a single container?		X		

NOTE: If (A) or (B) were answered "Yes" then the Transporter is also a Generator and must comply with the Generator regulations.

*Not Inspected

REMARKS

Use this section to briefly describe site activities observed at the time of the inspection. Note any possible violations of Interim Status Standards.

pace laboratories, inc.
PROFESSIONAL ANALYTICAL CHEMISTRY & ENGINEERING

STEVE A. VANDERBOOM
President
WILLIAM A. O'CONNOR
Vice-President

3121 Nicollet Avenue ☐ Minneapolis, Mn. 55408 ☐ Phone: (612) 824-2675

July 6, 1981

Mr. Richard Clute
Franklin Manufacturing Co.
701 33rd Ave. N.
St. Cloud, MN 56301

Dear Mr. Clute:

Enclosed is a copy of our report of laboratory analysis for samples received at PACE Laboratories, Inc. on May 29, 1981. The 3 samples received were identified as:

1. Paint Sludge
2. Paint Ash from the Blue Surf Operation
3. Paint Ash from Midway Iron

The purpose for this analyses was to determine the impact of a paint formulation change on the method of disposal for these waste types. It is our understanding that the formulations for the paints used at Franklin Mnaufacturing were modified to minimize the presence of lead and chromium pigment. Your material Safety Data Sheets for all paint colors used at Franklin Manufacturing are attached to this report. ?

The data presented in Tables I and II demonstrate that each of these three wastes would be classified as non hazardous under both the state of Minnesota and the Federal Environmental Protection Agency hazardous waste rules. The analyses in Table I were performed directly on the waste as received at PACE Laboratories, Inc. A comparison of this analyses with the MPCA hazardous waste criteria relative to corrositivity, flammability, toxicity and List 1 show all three wastes to be non hazardous. Experience and common knowledge indicate that none of these wastes are explosive, oxidative or irratative. Table II shows that all 3 wastes fall below the EPA EP Toxicity criteria and the MPCA List 2 criteria for defining a waste as hazardous.

Table II also demonstrates that each of the three waste types meets the MPCA 10-10 criteria for codisposal of non hazardous industrial waste in a sanitary landfill. Assuming that all wastes are free of standing water, we would recommend that the MPCA be approached for approval of disposal of these 3 waste types in a sanitary landfill. To accomplish this Mr. Bruce Brott at the MPCA (297-3771) should be contacted to obtain a "Request for Codisposal of a Non Hazardous Industrial Waste" form. The analytical data in this report can be used to assist in the completion of this form. However, you will also have to obtain the signature of a landfill operator who would be willing to dispose of the 3 wastes in the sanitary landfill pending approval of the MPCA. This form along with a copy of our laboratory report should then be sumbitted to Mr. Brott for review and approval.

PACE Laboratories, Inc. July 6, 1981

Mr. Richard Clute

Franklin Manufacturing Co.

If you have any further questions with respect to this report, please feel free to contact me at any time.

Yours truly.

William A. O'Connor

William A. O'Connor, CPC
Vice President

WAO/lfs

TABLE I

DIRECT ANALYSIS OF WASTE FOR
FRANKLIN MANUFACTURING CO.

Parameter	MPCA HW Criteria	Paint Sludge	Blue Surf Ash	Midway Ash
pH	3-12	6.8	8.0	10.6
Cadmium, ppm	500	4.9	0.32	0.76
Chromium, ppm	1,000	2.7	72	3.3
Lead, ppm	600	26	< 2	69
Mercury, ppm	-	0.19	0.05	< 0.10
Nickel, ppm	10,000	24	20	21
Arsenic, ppm	500	0.14	< 0.13	0.25
Selenium, ppm	-	< 0.11	< 0.13	< 0.13
Beryllium, ppm	20	4.0	< 0.3	< 0.4
Flash Point, °F	200	> 200	-	-
Solvents, %(1)	-	< 0.1	-	-

(1) 6.5 gram of sample was extracted with carbon disulfide. The extract was injected onto a 10% SP2100, 100/120 suplecoport column with FID detector. No organic solvents were detected.

TABLE II

EP TOXIC LEACHATE ANALYSIS FOR
FRANKLIN MANUFACTURING CO.

Parameter	EPA EP Toxic	MPCA 10:10 Criteria	MPCA List 2	EP TOXIC LEACHATES (1) Paint Sludge	Blue Surf Ash	Midway Ash
Silver, mg/l	5.0	0.5	-	< 0.04	< 0.04	< 0.04
Barium, mg/l	100.0	10.0	-	< 0.3	< 0.3	< 0.3
Cadmium, mg/l	1.0	0.1	1.0	< 0.01	< 0.01	0.03
Chromium, mg/l	5.0	0.5	5.0	< 0.05	< 0.05	< 0.05
Lead, mg/l	5.0	0.3	3.0	< 0.1	< 0.1	0.1
Mercury, mg/l	0.2	0.002	0.2	< 0.0002	< 0.0002	< 0.0002
Arsenic, mg/l	5.0	0.1	5	< 0.001	< 0.001	0.012
Selenium, mg/l	1.0	0.01	-	< 0.001	< 0.001	< 0.001
Nickel ?		0.1				

(1) The EPA EP Toxicity leachate test was performed on these samples prior to analysis.

CO-DISPOSAL REQUESTS

Reviewer: BWB

Name of Requestee: Franklin Mfg. Date Rec'd: 4/17/81

Type of Waste: Paint Sludge Ash

Quantity of Waste: Blue Surf 70 drums Midway Iron 300-36gal

Frequency of Disposal: One time

Place of Disposal (Name of SLF): not specified

Permit No. of SLF: SW ? Location:

SLF permit disposal of this type of waste? (YES) (NO)

Review by H. W. Management Unit; waste is (hazardous) Midway Iron (non-hazardous) Blue Surf 5/6/81

Review of request by Ground Water Section? (YES) (NO)

If yes, request sent to Ground Waters (date): 5/26/81

Comments rec'd on (date) 6/2/81 Any concerns? Summarize:
size of drums EP for lead 1.3 10/10 0.3 want H_2O leach
6/1/81 Mike Sommer Memo send list of landfills sent to Bill Arms 6/10/81

Review of request by Enforcement Section, sent (date): 5/26/81

Comments rec'd on (date) 5/28/81 Any concerns? Summarize:* want facility specified

Contacted County SW Officer on (date) _____ Any concerns? Summarize:*

Contacted MPCA Regional Office on (date) _____ Any concerns? Summarize:*

Public Notice of Request necessary? (YES) (NO)

If no, on what basis? See 6/10/82 Request

Date of Public Notice in local publication: (date) _____

(publication) _____

Any comments rec'd (YES) (NO) If yes, summarize (use back for more space):

Letter of Approval/Denial drafted (date): _____

Letter of Approval/Denial sent for TH's signature (date): _____

Date of Approval/Denial: _____

*Use back for more space

Mike Tibbets

APR 0 6 1981

Mr. Richard Clute
Franklin Manufacturing Company
701 North 33rd Avenue
St. Cloud, Minnesota 56301

MES 4-2-81

Dear Mr. Clute:

Thank you for meeting with Ken Meyer (St. Cloud City Health Department) and me on March 12, 1981 to explain and demonstrate Franklin Manufacturing Company operations. As was indicated in our meeting, the Minnesota Pollution Control Agency (MPCA) will await PACE Laboratories' evaluation of Franklin's paint ash. Upon receipt, hopefully a decision can be made regarding the best waste management practices for Franklin's wastes. Depending on the information supplied to the Agency, further testing of the paint sludge may be required prior to making our decision regarding landfilling of the wastes. If landfilling looks to be a possible method of disposal, the moisture free content of the paint sludge would also have to be guaranteed before Franklin could receive MPCA permission to send these industrial wastes to a sanitary landfill. Franklin Manufacturing Company would need Agency permission to co-dispose of the following wastes:

1. Dried paint residue (if determined to be nonhazardous).
2. Vinyl stripper.
3. Paint filters.
4. Excess plastic waste.
5. Urethane foams.

Questions concerning this co-disposal of nonhazardous wastes procedure should be directed to James Warner, Engineering Review Unit, at 612/297-2722.

612/297-2717

Although the following items were discussed, a letter from Franklin addressing each concern is requested for our files:

1. Disclosure Item 7: The estimated amount of waste oil produced, the anticipated shipping frequency and quantities of each shipment, the transporter name(s) and the name of the disposal/recovery facility is needed for approval of this management plan.

2. When calculating the quantities of wastes stored every three months according to the management plans submitted by Franklin, a capacity of more than 11,000 gallons is determined. A facility with a capacity of greater than 5,000 gallons (18,927 liters) is required to obtain a storage permit pursuant to 6 MCAR § 4.9004 I. Please describe Franklin's storage procedures. As we discussed in our meeting, the amounts of wastes produced and their shipping frequencies listed on the management plans must correspond to the actual practices. This is the only way the MPCA knows if permits are required. Please indicate the quantities of wastes produced and anticipated shipping frequencies consistent with actual practices.

We would appreciate a response to the above items within 30 days so that our disclosure review can be completed. The Agency will contact you once the paint test results are received. Your cooperation in this matter is appreciated.

Sincerely,

Michael E. Sommer
Pollution Control Specialist
Hazardous Waste Management Unit
Solid and Hazardous Waste Division

MES:cd

cc: Ken Meyer, City Hall, 314 St. Germain Street, St. Cloud, Minnesota 56301

bcc: JLW
Mike Tibbets

MINNESOTA POLLUTION CONTROL AGENCY

Route to:

(1) _____

(2) _____

(3) _____

(4) _____

OFFICE MEMORANDUM

FILE Franklin Mfg. Co.

Location St. Cloud, MN.
(city, village, township, section, range, county, etc.)

Subject Disclosure Review / Inspection

By Whom Mike Sommer Date 3/12/81

Investigation ✓ Conference Office ____ Field ____ Hearing ____ Meeting ____

Phone ____

Items to be Covered: (1) Those present and/or those intereviewed
(2) Situation
(3) Further action, follow-up, recommendation

(1) Ken Meyer, St. Cloud City Health Dept. 612/251-5541
Richard Hill, White Consolidated Ind.
Dick Clute, Franklin Mfg.
Bill O'Connor, PACE Laboratories

(2) Explanation of processes:

a) Blue enamel paint (brand name) removal - Incineration process removing paint residues on the paint hooks, screens & filters which went through the waterfall spray booth. Air blows the residues off into the incinerator. The resultant waste is an ash.

b) ABS & Polystyrene - Franklin makes plastic door liners, lid liners & breaker strips. Most plastic "wastes" are re-melted and then re-used. Only the contaminated plastic - that

MPCA-SWD-2 which comes in contact with foam - is disposed

of as waste.

c) Maintenance - Wastes resulting from plant wide clean ups.

d) Urethane foaming - Wastes from cleaning the urethane foaming equipment. Franklin is in the process of changing to high pressure air machines to clean the nozzles. High pressure air will remove the foam. Franklin plans to reduce their usage of the methylene chloride.

e) Bonderite - A step done prior to painting the steel. The steel has a protective coating which needs to be removed before the paint will adhere to the steel. This process removes that coating.

Disclosure Questions:

1. Franklin began changing their paint line in Nov. 1980 - change over completed by Dec. 15, 1980. They are now using a more expensive paint containing non-metallic pigments. They have not run any tests on the new paint as such, but have tested the ash from their incineration process. The report by PACE will be forthcoming to the Agency. When asked for material Data Sheets on the new paint, Franklin said they would wait till the PACE report is submitted to PCA. Franklin feels they will be able to re-classify the ash (and paint) and handle all as nonhazardous. Currently the ash waste is being stockpiled.

Franklin feels that the Pb in Midway Drum ash does not all Contain from Franklin's process. They feel Midway adds enough Pb from their own processes.

3.4. A vinyl stripper is coated on the inside of the electrostatic paint booths to prevent paint from sticking to the booth. This hardened stripper with paint on it + the paint filters all from the spraying operations are disposed with the paint residue. Again, disposal depends on results of new paint.

6. Franklin does not know the quantities of plastic wastes sent to St. Augusta SLF.

1. Franklin will provide MPCA with name of oil disposal facility at the meeting mentioned:

Transporter: Berto Drain Oil Service
Reclaimer: Warden's Oil

Miscellaneous Questions:

1. Storage - PACE has filled out management plans indicating shipping frequencies under the federal 90 day limit. Franklin stated they ship quite frequently - do not store 5000 gallons. Will need this statement in a letter from Franklin.

2. Incinerator - Franklin is currently developing a Waste Management Plan for the company - investigating various options for their waste disposal. They are still considering incineration. The Sheffield permit enclosed in the disclosure file is simply an option Franklin has left open for themselves. They are not sending paint (or other wastes) to Sheffield now. may in the future.

(3) Further action, followups:

1. Await paint results from PACE
Review / Decide if can landfill. Co-disposal procedure → where
2. Oil disposal facility?
3. Storage requirements?
4. Resubmittal of disclosure - amounts produced / shipped correspond?
5. Refer Bonderite process to WQ, Pretreatment.